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No. 48] NEW DELHI, NOVEMBER 24—NOVEMBER 30, 2013, SATURDAY/AGRAHAYANA 3—AGRAHAYANA 9, 1935

भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत एवं पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 7 अक्टूबर, 2013

कांआ 2404.—केन्द्र सरकार एतद् द्वारा दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं० 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार, गृह (समूह-V) विभाग, जयपुर के दिनांक 21 सितंबर, 2013 के पत्र सं० एफ० 19(103) गृह-5/2013 द्वारा प्राप्त सहमति से श्री बाबू लाल नागर के विरुद्ध पुलिस स्टेशन सोडाला, जयपुर में भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं० 45) की धारा 323 और 376 के तहत पंजीकृत मामला सं० 292/2013 तथा उपर्युक्त मामले से संबंधित प्रयासों, दुष्प्रेरणाओं और षडयंत्रों के अन्वेषण करने के संबंध में दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकार क्षेत्र का विस्तार संपूर्ण राजस्थान राज्य पर करती है।

[सं० 228/72/2013-एवीडी-II]

राजीव जैन, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 7th October, 2013

S.O. 2404.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Rajasthan, Home (Group-V) Department, Jaipur vide Letter No. F. 19(103) Home-5/2013 dated 21st September, 2013, hereby extends the powers and Jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for investigation of case No. 292/2013 under sections 323 and 376 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Police Station Sodala, Jaipur against Shri Babu Lal Nagar and attempts, abetments

and conspiracies in relation to the above mentioned offence.

[No. 228/72/2013-AVD-II]

RAJIV JAIN, Under Secy.

नई दिल्ली, 8 अक्टूबर, 2013

कांआ 2405.—केन्द्र सरकार, एतद्वारा, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं० 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, असम राज्य सरकार, राजनैतिक (ए) विभाग, दिसपुर की दिनांक 6 फरवरी, 2013 की अधिसूचना सं० पीएलए 276/2008/135 द्वारा प्राप्त सहमति से असम के कार्बी-एंगलोंग, नांगांव तथा गोलाघाट जिलों में गैंडे का शिकार करने संबंधी किए गए अपराधों और उनके संबंध में किए गए प्रयास, दुष्प्रेरण तथा षडयंत्र से संबंधित निम्नलिखित अपराधों के अंतर्गत आने वाले मामलों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार संपूर्ण असम राज्य में करती है:—

क्र० सं०	मामला सं०	विधि की धारा	पुलिस स्टेशन का नाम
1.	05/2012	वन्य जीव (संरक्षण) अधिनियम 1972, (1972 की अधिनियम सं० 53) की धारा 51(1) के साथ पठित भारतीय दंड संहिता, 1860 (1860 की अधिनियम सं० 45) के अधीन धारा 379 तथा 429	पुलिस स्टेशन रोंगमोंगवी (कार्बी-एंगलोंग)
2.	06/2012	वन्य जीव (संरक्षण) अधिनियम 1972, (1972 की अधिनियम सं० 53) की धारा 51(1) के साथ पठित आर्म्स अधिनियम, 1959 (1959 की अधिनियम सं० 54 की धारा 25(1)(ए) तथा 27 के साथ पठित भारतीय दंड संहिता, 1860 (1860 की अधिनियम सं० 45) की धारा 379 तथा 429	
3.	07/2012	वन्य जीव (संरक्षण) अधिनियम 1972, (1972 की अधिनियम सं० 53) की धारा 51(1) एवं आर्म्स अधिनियम, 1959 (1959 की अधिनियम सं० 54) की धारा 25(1)(ए) तथा 27 के साथ पठित भारतीय दंड संहिता, 1860 (1860 की अधिनियम सं० 45) के अधीन धारा 379 तथा 429	

क्र० सं०	मामला सं०	विधि की धारा	पुलिस स्टेशन का नाम
4.	131/2012	भारतीय दंड संहिता, 1860 (1860 की अधिनियम सं० 45) की धारा 379 एवं आर्म्स अधिनियम, 1959 (1959 की अधिनियम सं० 54) की धारा 25 (1-ए) तथा 27 के साथ पठित वन्य जीव (संरक्षण) अधिनियम 1972, (1972 की अधिनियम सं० 53) की धारा 51(1)	झाकलाबांदा पुलिस स्टेशन

[सं० 228/10/2013-एवीडी-II]

राजीव जैन, अवर सचिव

New Delhi, the 8th October, 2013

S.O. 2405.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Assam, Political (A) Department, Dispur *vide* Notification No. PLA. 276/2008/135 dated 6th February, 2013, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Assam for investigation of following cases under the offences indicated below:—

Sl. No.	Case No.	Section Laws	Name of Police Station
1.	05/2012	under sections 379 and 429 of the Indian Penal Code, 1860 (Act No. 45 of 1860) read with section 51(1) of the Wild Life (Protection) Act, 1972 (Act No. 53 of 1972).	Police Station Rongmongwe (Karbi-Anglong)
2.	06/2012	under sections 379 and 429 of the Indian Penal Code, 1860 (Act No. 45 of 1860) read with section 51(1) of the Wild Life (Protection) Act, 1972 (Act No. 53 of 1972) read with sections 25(1) (a) and 27 of the Arms Act, 1959 (Act No. 54 of 1959).	
3.	07/2012	under sections 379 and 429 of the Indian Penal Code, 1860 (Act No. 45 of 1860)	

Sl. No.	Case No.	Section Laws	Name of Police Station
		read with section 51(1) of the Wild Life (Protection) Act, 1972 (Act No. 53 of 1972) read with sections 25(1) (a) and 27 of the Arms Act, 1959 (Act No. 54 of 1959).	
4.	131/2012	under section 51(1) of the Wild Life (Protection) Act, 1972 (Act No. 53 of 1972) read with 379 of the Indian Penal Code, 1860 (Act No. 45 of 1860) and section 25(1-A) and 27 of the Arms Act, 1959 (Act No. 54 of 1959)	Police Station Jakhala-bandha.

relating to Rhino poaching in the Districts of Karbi-Anglong, Nagaon and Golaghat (Assam) and attempts, abetments and conspiracies in relation to the above mentioned offences.

[No. 228/10/2013-AVD-II]

RAJIV JAIN, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2013

का०आ० 2406.—केन्द्रीय सरकार एतद् द्वारा प्रक्रिया संहिता, 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उपधारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री बलजीत सिंह एडवोकेट को विशेष जज सीबीआई देहरादून में मामला संख्या आर०सी० 2(एस) 2006 एसआईयू 1/एससी 1/नई दिल्ली (सीबीआई बनाम कैनथ जॉब) और इससे संबद्ध व अनुषांगिक किसी अन्य मामले में विचारन के लिए विशेष लोक आयोजक नियुक्त करती है।

[सं० 225/18/2013-एवीडी-II]

राजीव जैन, अवर सचिव

New Delhi, the 11th October, 2013

S.O. 2406.—In exercise of the powers conferred by Sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Baljeet Singh, Advocate as Special Public Prosecutor for conducting the trial of RC No. 2 (S)/2006/SCU-1/CBI/SC-1/New Delhi (CBI Vs. Kainath Job and others) in the Court of Special Judge for CBI cases at Dehradun and any other matter connected therewith or incidental thereto.

[No. 225/18/2013-AVD-II]

RAJIV JAIN, Under Secy.

वित्त मंत्रालय
(आयकर विभाग)

(मुख्य आयकर आयुक्त का कार्यालय — मद्रुरै)

मद्रुरै, 19 सितम्बर, 2013

मुख्य आयकर आयुक्त, मद्रुरै की कार्यवाही

सम्पत्ति: श्री बी०के० मिश्रा, भारा०से०

मुख्य आयकर आयुक्त, मद्रुरै

मद्रुरै - 625 002

निर्धारिती का नाम एवं पता : मै० मद्रास सीमिंटस् लि०, एजुकेशनल एवं चैरिटेबल ट्रस्ट, राममंदिरम, 642, तेनकासी रोड, राजपालयम-626 117

आवेदन प्राप्ति की तारीख : 28.09.2012

जिस निर्धारण वर्ष हेतु : 2012-13 के बाद से
आवेदन

आदेश की तारीख : 19.09.2013

आयकर अधिनियम, 1961 की धारा 10(23सी) (vi) के अधीन
आदेश

का०आ० 2407.—मुख्य आयकर आयुक्त, मद्रुरै आयकर अधिनियम 1961 (1961 का 43) की धारा 10 के खंड (23सी) के उप खंड (vi) के साथ पठित आयकर नियम 1962 के नियम 2सी द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उपरोक्त उप खंड में बताए गए प्रयोजनों के लिए निर्धारण वर्ष 2012-13 से मै० मद्रास सीमिंटस् लि० एजुकेशनल एवं चैरिटेबल ट्रस्ट, राममंदिरम, 642, तेनकासी रोड, राजपालयम -626 117 पै० : एएसटीएम 8241 के को निम्नलिखित शर्तों के आधार पर आयकर अधिनियम, 1961 की धारा 10(23सी)(vi) के अधीन अनुमोदन प्रदान करता हूँ:

अ. आयकर अधिनियम की धारा 10(23सी) (vi) के तीसरे परन्तुक से अपेक्षित निर्धारिती अपनी आय या जमा आय का प्रयोग केवल प्रयोजनों, जिनके लिए उसकी स्थापना की गई है, के लिए पूर्णतः और अनन्यतः उपयोग करता है।

ब. आयकर अधिनियम 1961 की धारा 11 की उप धारा (5) में विनिर्दिष्ट तरीकों में से किसी एक या अधिक रूपों या पद्धतियों में किसी भी अवधि के लिए निर्धारिती अपनी निधि से अन्यथा निवेशों या निक्षेपों (आभूषण एवं फर्नीचर या ऐसी वस्तु के रूप में प्राप्त और रखे गए स्वेच्छिक अभिदाय के अलावा) में निवेश अथवा जमा उपर्युक्त उल्लिखित निर्धारण वर्षों से संबंधित पूर्व वर्षों के दौरान किसी भी अवधि के लिए नहीं करेगा।

स. यह अनुमोदन किसी ऐसी आय के लिए लागू नहीं होगा जो कारोबार, व्यापार से लाभ और अधिलाभ प्राप्त होता है, जब तक कारोबार

निर्धारित की लक्ष्यों की प्राप्ति के लिए है तथा ऐसे कारोबार के लिए अलग बही-खाते रखा जा रहा है।

- द. आयकर अधिनियम 1961 के प्रावधानों के अनुरूप निर्धारित आयकर प्राधिकारी के समक्ष नियमितता से आय विवरणी फाइल करेंगे।
- इ. इसके भंग होने के उसके अधिशेष एवं आस्तियों ऐसे संगठन को दी जाएगी जो पूर्णतः ऐसे ही प्रयोजनों के लिए है और लाभ के प्रयोजनार्थ नहीं हैं और आयकर अधिनियम 1961 की धारा 13(3) में विनिर्दिष्ट अनुसार उसका कोई भी भाग प्रत्यक्ष या अप्रत्यक्ष रूप से निर्धारित के हिताधिकारी या अन्य किसी को नहीं जाएगा।
- फ. धारा 143(3) के परन्तुक के प्रावधानों के अधीन अनुमोदन स्वीकृत किया जाएगा।
- ज. यदि यह बाद में पता लगता है कि अनुमोदन फर्जी या तथ्य के अन्यथा-कथन द्वारा लिया गया है तो उसे शून्य माना जाएगा।
- ह. उक्त अनुमोदन केवल आयकर अधिनियम 1961 की धारा 10(23सी)(vi) के प्रयोजन के लिए दिया गया है तथा अन्य किसी प्रयोजन के लिए नहीं और अनुमोदन वापस ले लिया माना जाएगा यदि निर्धारित की गतिविधियां प्रामाणिक नहीं हैं या गतिविधियां स्वीकृत अनुमोदन में उल्लिखित सभी या किंही शर्तों के अनुसार नहीं की जा रही हो।

[फा० सी० सं० 2113/1/मुआ/मदुरै/तक./2012-13]

बी०के० मिश्रा, मुख्य आयकर आयुक्त

MINISTRY OF FINANCE

(Income-Tax Department)

(OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX—MADURAI)

Madurai, the 19th September, 2013

PROCEEDINGS OF THE CHIEF COMMISSIONER OF INCOME-TAX—MADURAI

MADURAI-625002

PRESENT: Shri B.K. MISRA, IRS

CHIEF COMMISSIONER OF INCOME-TAX—MADURAI

MADURAI-625002

Name of the applicant : M/s Madras Cements Ltd.,
Educational & Charitable
Trust, Ramamandiram,
642, Tenkasi Road,
Rajapalayam-626117

Date of receipt of application : 28.09.2012

Asst. Year for which applied for : 2012-13 onwards

Date of Order : 19.09.2013

ORDER UNDER SECTION 10(23C) (vi) OF THE INCOME TAX ACT, 1961

S.O. 2407.—In exercise of the powers conferred on me by the Sub-clause (vi) of Clause (23C) of the Section 10 of the Income-tax Act, 1961 (43 of 1961) read with Rule 2C of the Income Tax Rule, 1962. The Chief Commissioner of Income tax-Madurai, Madurai hereby accords approval to M/s. Madras Cements Ltd., Educational & Charitable Trust, Ramamandiram, 642, Tenkasi Road, Rajapalayam-626117 PAN:AACTM8241K for the purpose of the said section for the assessment year 2012-13 onwards, subject to the conditions given in Section 10(23C)(vi) of the Income tax Act, 1961 including conditions mentioned hereunder:

- The assessee shall apply its income, or accumulate its income for application, wholly and exclusively, for the objects for which it is established and in accordance with Third Provision to Section 10(23C)(vi) of the IT Act;
- The assessee shall not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture, etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 of the Income Tax Act, 1961;
- This approval shall not apply in relation to any income being profits & gains of business, unless the business is incidental to the attainment of the objects of the assessee and separate books of accounts are maintained in respect of such business;
- The assessee shall regularly file its return of income before the Income-tax authority in accordance with the provisions of the income tax Act, 1961;
- In the event of its dissolution, its surplus and assets will be given to an organization with similar objects and no part of the same will go directly or indirectly to any of the beneficiaries of the assessee or anybody specified in section 13(3) of the Income-tax Act, 1961;
- The approval granted shall be subject to the provisions of 1st proviso to sub-section (3) of Section 143;
- The approval shall be void if it is subsequently found that it has been obtained by fraud or misrepresentation of fact(s).

The above approval is given only for the purpose of Sec. 10(23C) (vi) of the Income tax Act, 1961 and not for any other propose(s) and the same is liable to be withdrawn if it is subsequently found that the activities of the institution are not genuine or if they are not carried out in accordance with all or any of the conditions subject to which it was approved.

[F.C. No. 2113/1/CC/MDU/Tech./2012-13]

B.K. MISRA, Chief Commissioner of Income Tax

(राजस्व विभाग)

(केंद्रीय उत्पाद शुल्क आयुक्त का कार्यालय, बेंगलूर-I आयुक्तालय)

बेंगलूर, 14 अक्टूबर, 2013

सं० 01/2013-सी०शु० (एन०टी०)

का०आ० 2408.—सीमा शुल्क अधिनियम 1962 की धारा 152 के खंड (क) के अधीन भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली के दिनांक 1 जुलाई 1994 की अधिसूचना सं० 33/94-सी०शु० (एन०टी०) में प्रदत्त शक्तियों को प्रयोग करते हुए मैं, कर्नाटक के बेंगलूर जिले में स्थित सर्वे सं० 19/1 एवं 19/3, अलि बोमसंद्रा, मुथनल्लूर पोस्ट, अनेकल तालूक, सर्जापूर होबली, बेंगलूर-562 106 को सीमा शुल्क अधिनियम 1962 की धारा 9 के अधीन 100% निर्यातोनमुख एकक (ई०ओ०यू०) को स्थापित करने की सीमित उद्देश्य के लिए भांडागार स्टेशन एतद्वारा घोषित करता हूं।

[फा० सी०सं० IV/16/141/2013 तक. बें०-I]

अशोक, आयुक्त

(Department of Revenue)

(OFFICE OF THE COMMISSIONER OF CENTRAL
EXCISE, BANGALORE-I COMMISSIONERATE)

Bangalore, the 14th October, 2013

No. 01/2013-CUS (NT)

S.O. 2408.—In exercise of the powers delegated to the undersigned vide Notification No. 33/94-Cus (NT) dated 1st July, 1994 by the Government of India, Ministry of Finance, Department of Revenue, New Delhi under clause (a) of Section 152 of the Customs Act, 1962, I hereby declare Sy No. 19/1 & 19/3, Ali Bommasandra, Muthanal'ur Post, Anekal Taluk, Sarjapur Hobli, Bangalore 562 106, in the state of Karnataka to be warehousing station under Section 9 of the Customs Act, 1962, for the limited purpose of setting up of 100% EOU.

[F. C. No. IV/16/141/2013 Tech B-I]

ASHOK, Commissioner

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 18 अक्टूबर, 2013

का०आ० 2409.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 3 के उप-खंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा 3(ज) और (3-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री राजीव लोचन बिश्नोई (जन्म तिथि: 21.01.1960) को उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्षों की अवधि के लिए अथवा अगले आदेशों तक, जो

भी पहले हो, बैंक ऑफ इंडिया के निदेशक मंडल में अंशकालिक गैर सरकारी निदेशक के रूप में नियुक्त करती है।

[फा० सं० 6/17/2013-बीओ-I]

विजय मल्होत्रा, अवर सचिव

(Department of Financial Services)

New Delhi, the 18th October, 2013

S.O. 2409.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby nominates Shri Rajeev Lochan Bishnoi (DoB: 21.01.1960) as part-time Non-official Director on the Board of Directors of Bank of India for a period of three years, from the date of notification of his appointment or until further orders, whichever is earlier.

[F.No. 6/17/2013-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 22 अक्टूबर, 2013

का०आ० 2410.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ इंडियन प्लाईवुड इंडस्ट्रीज रिसर्च एंड ट्रेनिंग इंस्टीट्यूट, बंगलौर, (पैन-एएएआई 0707पी) को 1.4.2012 से निम्नलिखित शर्तों के अधीन 'विश्वविद्यालय, कॉलेज अथवा अन्य संस्थान' की श्रेणी में अनुमोदित किया गया है, नामतः—

- (i) अनुमोदित संगठन को प्रदत्त राशियों का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में पृथक लेखा बही रखेगा, जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा-परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट, मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन प्राप्त दान और वैज्ञानिक अनुसंधान के लिए प्रयुक्त राशि का पृथक विवरण रखेगा और उपर्युक्त लेखा-परीक्षा

रिपोर्ट के साथ लेखा-परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रतिलिपि प्रस्तुत करेगा।

2. केंद्र सरकार यह अनुमोदन वापस ले लेगी यदि अनुमोदित संगठन:—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित पृथक लेखा बही रखने में असफल रहता है; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा-परीक्षा रिपोर्ट प्रस्तुत करने में असफल रहता है; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत करने में असफल रहता है; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को वास्तविक नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा और उनका पालन नहीं करेगा।

[अधिसूचना सं० 80/2013/फा०सं० 203/45/2012/आ०क०नि०-II]

ऋचा रस्तोगी, अवर सचिव (आ०क०नि०-II)

New Delhi, the 22nd October, 2013

S.O. 2410.—It is hereby notified for general information that the organization Indian Plywood Industries Research & Training Institute, Bangalore, (PAN-AAAAI0707P) has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), from 01.04.2012 onwards, assessment year 2012-2013 and onwards in the category of "University College and other Institution", engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by

the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;

- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:—

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 80/2013/F.No. 203/45/2012/ITA-II]

RICHARASTOGI, Under Secy. (ITA-II)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 22 अक्टूबर, 2013

का०आ० 2411.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2013-14 से और आगे संगठन मैसर्स हाफकिन इंस्टीट्यूट फॉर ट्रेनिंग रिसर्च एंड टेस्टिंग, मुम्बई (पैन-एएए टीएच 1654 बी) को निम्नलिखित शर्तों के अधीन 'विश्वविद्यालय, कॉलेज या अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात्:—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग लेखा बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई जाएगी, उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी लेखा-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की

उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत हस्ताक्षरित एवं सत्यापित ऐसी लेखा परीक्षा की रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;

- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशियों का अलग विवरण रखेगा और उपर्युक्त लेखापरीक्षा रिपोर्ट के साथ लेखापरीक्षक द्वारा विधिवत प्रमाणित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापस ले लेगी यदि अनुमोदित संगठन:—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अलग लेखा बही नहीं रखता है; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखापरीक्षा रिपोर्ट प्रस्तुत नहीं करता है; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशियों का अपना विवरण प्रस्तुत नहीं करता है; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देता है अथवा इसके अनुसंधान कार्यालयों को ठीक नहीं पाया जाता है; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के उपबंधों के अनुरूप कार्य नहीं करता है तथा उनका पालन नहीं करता है।

[अधिसूचना सं० 81/2013/फा० सं० 203/32/2012/आ०क०नि-III]

ऋचा रस्तोगी, अवर सचिव (आ०क०नि-II)

(CENTRAL BOARD OF DIRECT TAXES)

New Delhi, the 22nd October, 2013

S.O. 2411.—It is hereby notified for general information that the organization M/s Haffkine Institute for Training Research & Testing, Mumbai, (PAN - AAATH1654B) has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), from assessment year 2013-2014 and onwards in the category of "University, College or other Institution", engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;

- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:—

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 81/2013/F.No. 203/32/2012/ITA-II]

RICHARASTOGI, Under Secy. (ITA-II)

नई दिल्ली, 22 अक्टूबर, 2013

का०आ० 2412.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 3 के उप-खंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा 3 के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री रजत सच्चर के स्थान पर श्री एस०सी० दास, उप सचिव, वित्तीय सेवाएं विभाग को तत्काल प्रभाव से एवं अगले आदेशों तक पंजाब एण्ड सिंध बैंक के निदेशक मंडल में सरकार द्वारा नामित निदेशक के रूप में नियुक्त करती है।

[फा० सं० 6/3/2012-बीओ-I]

विजय मल्होत्रा, अवर सचिव

New Delhi, the 22nd October, 2013

S.O. 2412.—In exercise of the powers conferred by clause (b) of Sub-Section (3) of section 9 of the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980, read with sub-clause (1) of clause 3 of The Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, hereby nominates Shri S.C. Das, Deputy Secretary, Department of Financial Services as Government Nominee Director on the Board of Director of Punjab & Sind Bank with immediate effect and until further orders vice Shri Rajat Sachar.

[F. No. 6/3/2012-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2413.—केन्द्रीय सरकार, वित्तीय आस्तियों का प्रतिभूतिकरण एवं पुनर्गठन तथा प्रतिभूति हित का प्रवर्तन अधिनियम, 2002 की धारा 21 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा, अधिसूचना सं० सा०का०नि० 277 (ड), 31 मार्च, 2011 में संशोधन करती है।

उक्त अधिसूचना में, पैरा (1) के नीचे, तालिका के कॉलम (2) और उससे संबंधित प्रविष्टियों में निम्नलिखित को प्रतिस्थापित किया जाएगा, नामतः—

“5वां तल, एमटीएनएल, दूरभाष केन्द्र भवन,
8 भीखाजी कामा प्लेस,
नई दिल्ली-110066”

[फा० सं० 3/8/2013-रिकवरी]

मिहिर कुमार, निदेशक (रिकवरी)

[पाद टिप्पणी: मूल अधिसूचना को भारत के राजपत्र असाधारण भाग-II, खण्ड 3- उप खण्ड (i) में सा०का०नि० 277 (ड), दिनांक 31 मार्च, 2011 द्वारा प्रकाशित किया गया था।

New Delhi, the 24th October, 2013

S.O. 2413.—In exercise of the powers conferred under Section 21 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the Central Government hereby amends the Notification No. G.S.R. 277(E) dated 31st March, 2011.

In the said notification, in Column (2) of the Table, below paragraph (1) and the entries relating thereto, the following shall be substituted, namely:—

"5th Floor, MTNL Telephone Exchange Building,
8, Bhikaji Cama Place,
New Delhi-110066".

[F. No. 3/8/2013-Recovery]

MIHIR KUMAR, Director (Recovery)

[Footnote: Principal Notification published *vide* G.S.R. 277(E) dated 31st March, 2011 in the Gazette of India Extraordinary Part II, Section 3—sub-section (i)]

(केन्द्रीय उत्पाद, सीमाशुल्क एवं सेवा कर आयुक्त का कार्यालय)

कोचिन, 25 अक्टूबर, 2013

सं० 2/2013-कस.

का०आ० 2414.—वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली द्वारा जारी अधिसूचना सं० 33/94-कस (एनटी) दिनांक 1.7.1994 द्वारा प्रत्यायोजित सीमाशुल्क, अधिनियम, 1962 की धारा 9 के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं एतद्वारा एरणाकुलम जिला के कुन्नतुनाडु तालूक के वेंगूर पश्चिम गाँव को सीमाशुल्क अधिनियम, 1962 की धारा 9 के अंतर्गत भांडागारण स्टेशन घोषित करता हूँ।

[फा० सी० सं० VIII/48/69/2010-कस टेक]

जगदीश सिंह, आयुक्त

(OFFICE OF THE COMMISSIONER OF CENTRAL
EXCISE, CUSTOMS AND SERVICE TAX)

Cochin, the 25th October, 2013

No. 2/2013-Cus.

S.O. 2414.—In exercise of the powers conferred under Section 9 of the Customs Act, 1962 delegated by Notification No. 33/94-Cus. (NT) dated, 1.7.1994 issued by Ministry of Finance, Department of Revenue, New Delhi, I hereby declare Vengoor West Village in Kunnathunadu Taluke, Ernakulam District, Kerala State as a Warehousing station under section 9 of the Customs Act, 1962.

[F. C. No. VIII/48/69/2010-Cus. Tech]

JAGDISH SINGH, Commissioner

(सीमाशुल्क, केन्द्रीय उत्पाद शुल्क व सेवा कर आयुक्त का
कार्यालय, हैदराबाद III आयुक्तालय)

हैदराबाद, 25 अक्टूबर, 2013

सं० 01/2013-सीमा शुल्क (एन टी)

का०आ० 2415.—भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली द्वारा जारी अधिसूचना सं० 33/94-कस्टम्स (एन टी) दिनांक 01.07.1994 के तहत सीमाशुल्क अधिनियम, 1962 की धारा 9 के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं आंध्र प्रदेश राज्य के करीम नगर जिला, गंगाधारा मण्डल के ओडावरम गाँव को सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 के अंतर्गत भारत सरकार द्वारा स्वीकृत 100% निर्यात आधारित एकक के निजी बॉन्ड भंडागार को लाइसेंस प्रदान करने के प्रयोजन के लिए भंडागारण क्षेत्र के रूप में घोषित करता हूँ।

[फा० सी० सं० VIII/16/06/2013-तक (कस.)]

बी० रविचंद्रन, आयुक्त

(OFFICE OF THE COMMISSIONER OF CUSTOMS,
CENTRAL EXCISE AND SERVICE TAX,
HYDERABAD-III COMMISSIONERATE)

Hyderabad, the 25th October, 2013

No. 01/2013-CUS (NT)

S.O. 2415.—In exercise of the powers conferred by Notification No. 33/94-Customs (NT) dated 01.07.1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare the area of Odayaram Village, Gangadhara Mandal, Karim Nagar District, in the state of Andhra Pradesh, to be a Warehousing Station under Section 9 of the Customs Act, 1962 (52 of 1962) for the purpose of licensing of Private Bonded Warehouse (100% Export Oriented Unit).

[F. C. No. VIII/16/06/2013-Tech (Cus)]

B. RAVICHANDRAN, Commissioner

(राजभाषा प्रभाग)

[आयकर निदेशालय (ज० सं० मु० प्र० एवं रा० भा०)]

नई दिल्ली, 8 नवम्बर, 2013

का०आ० 2416.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में केन्द्रीय प्रत्यक्ष कर बोर्ड के संलग्न अनुसूची में उल्लिखित संबद्ध/अधीनस्थ कार्यालयों, जिनके 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:—

अनुसूची

मुख्य आयकर आयुक्त, कानपुर क्षेत्र एवं अधीनस्थ कार्यालय

क्रम सं०	कार्यालय का नाम
1.	कार्यालय मुख्य आयकर आयुक्त, कानपुर
2.	कार्यालय आयकर आयुक्त (प्रथम), कानपुर
3.	कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-1), कानपुर
4.	कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-2), कानपुर
5.	कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-3), कानपुर
6.	कार्यालय आयकर आयुक्त (द्वितीय), कानपुर
7.	कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-4), कानपुर
8.	कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-5), कानपुर
9.	कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-6), कानपुर
10.	कार्यालय आयकर आयुक्त (आडिट), कानपुर
11.	कार्यालय आयकर आयुक्त (अपील)-I, कानपुर

12. कार्यालय आयकर आयुक्त (अपील)-II, कानपुर
13. कार्यालय आयकर आयुक्त (क० आ०), कानपुर
14. कार्यालय आयकर आयुक्त (टी० डी० एस०), कानपुर
15. कार्यालय आयकर अधिकारी, बाँदा
16. कार्यालय आयकर अधिकारी, उरई
17. कार्यालय आयकर आयुक्त (प्रथम), आगरा
18. कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-1), आगरा
19. कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-2), आगरा
20. कार्यालय अपर/संयुक्त आयुक्त (रैंज-3), आगरा
21. कार्यालय आयकर आयुक्त (द्वितीय), आगरा
22. कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-4), फिरोजाबाद
23. कार्यालय अपर/संयुक्त आयकर आयुक्त (रैंज-5), मथुरा
24. कार्यालय संयुक्त आयकर आयुक्त (रैंज-6), झांसी
25. कार्यालय आयकर आयुक्त (अपील)-I, आगरा
26. कार्यालय आयकर आयुक्त (अपील)-II, आगरा
27. कार्यालय आयकर अधिकारी, इटावा
28. कार्यालय आयकर अधिकारी, इटावा (औरैया)

मुख्य आयकर आयुक्त, देहरादून प्रभार एवं अधीनस्थ कार्यालय

क्रम सं० कार्यालय का नाम

1. कार्यालय मुख्य आयकर आयुक्त, देहरादून
2. कार्यालय आयकर आयुक्त, देहरादून
3. कार्यालय आयकर आयुक्त (अपील)-I एवं II, देहरादून
4. कार्यालय अपर आयकर आयुक्त, रैंज-1, देहरादून
5. कार्यालय अपर आयकर आयुक्त, रैंज-2, देहरादून
6. कार्यालय अपर आयकर आयुक्त, रैंज-हरिद्वार
7. कार्यालय आयकर अधिकारी (वार्ड-1), रुढ़की
8. कार्यालय आयकर अधिकारी (वार्ड-2), रुढ़की
9. कार्यालय आयकर अधिकारी (वार्ड-1), ऋषिकेश
10. कार्यालय आयकर अधिकारी (वार्ड-2), ऋषिकेश
11. कार्यालय आयकर अधिकारी, श्रीनगर
12. कार्यालय आयकर अधिकारी, कोटद्वारा
13. कार्यालय आयकर आयुक्त, हल्द्वानी

14. कार्यालय अपर आयकर आयुक्त, रेंज-नैनीताल
15. कार्यालय अपर आयकर आयुक्त, रेंज-काशीपुर
16. कार्यालय अपर आयकर आयुक्त, रेंज-हल्द्वानी
17. कार्यालय आयकर अधिकारी, रूद्रपुर
18. कार्यालय आयकर अधिकारी, पिथौरागढ़
19. कार्यालय आयकर अधिकारी, अल्मोड़ा
20. कार्यालय आयकर अधिकारी, खटीमा

मुख्य आयकर आयुक्त, गाजियाबाद प्रभार एवं अधीनस्थ कार्यालय

क्रम सं० कार्यालय का नाम

1. कार्यालय मुख्य आयकर आयुक्त, गाजियाबाद
2. कार्यालय आयकर आयुक्त, गाजियाबाद
3. कार्यालय आयकर आयुक्त, गाजियाबाद (अपील)
4. कार्यालय अपर आयकर आयुक्त, रेंज-1, गाजियाबाद
5. कार्यालय अपर आयकर आयुक्त, रेंज-2, गाजियाबाद
6. कार्यालय अपर आयकर आयुक्त, रेंज- बुलन्दशहर
7. कार्यालय आयकर अधिकारी, हापुड़
8. कार्यालय आयकर आयुक्त, अलीगढ़
9. कार्यालय अपर आयकर आयुक्त रेंज-अलीगढ़
10. कार्यालय अपर आयकर आयुक्त रेंज-एटा
11. कार्यालय अपर आयकर आयुक्त रेंज-1, फर्रुखाबाद
12. कार्यालय आयकर अधिकारी, मैनपुरी
13. कार्यालय आयकर अधिकारी, कासगंज
14. कार्यालय आयकर अधिकारी, कन्नौज
15. कार्यालय आयकर अधिकारी, हाथरस
16. कार्यालय आयकर आयुक्त, मेरठ
17. कार्यालय आयकर आयुक्त (अपील), मेरठ
18. कार्यालय अपर आयकर आयुक्त रेंज-1, मेरठ
19. कार्यालय अपर आयकर आयुक्त रेंज-2, मेरठ
20. कार्यालय आयकर अधिकारी, बड़ौत
21. कार्यालय आयकर आयुक्त, नोएडा
22. कार्यालय आयकर आयुक्त (अपील), नोएडा
23. कार्यालय अपर आयकर आयुक्त, रेंज-1, नोएडा

24. कार्यालय अपर आयकर आयुक्त, रेंज-2, नोएडा
25. कार्यालय अपर आयकर आयुक्त, रेंज-3, नोएडा
26. कार्यालय आयकर आयुक्त, मुजफ्फरनगर
27. कार्यालय आयकर आयुक्त (अपील) मुजफ्फरनगर
28. कार्यालय अपर आयकर आयुक्त, रेंज-1, मुजफ्फरनगर
29. कार्यालय अपर आयकर आयुक्त, रेंज-2, मुजफ्फरनगर
30. कार्यालय अपर आयकर आयुक्त, रेंज- सहारनपुर
31. कार्यालय आयकर अधिकारी, खतौली
32. कार्यालय आयकर अधिकारी, शामली
33. कार्यालय आयकर अधिकारी, देवबंद

मुख्य आयकर आयुक्त, लखनऊ एवं अधीनस्थ कार्यालय

अधिसूचित किए जाने वाले नए कार्यालयों की सूची

क्रम सं० कार्यालय का नाम

1. कार्यालय आयकर अपर/संयुक्त आयुक्त (अंतर्राष्ट्रीय कराधान) लखनऊ

दिनांक 13.10.2012 की अधिसूचना में प्रकाशित किए गए कार्यलयों के नाम जिन्हें अब यथासंशोधित पुनः अधिसूचित किया जाता है।

क्रम सं०	पूर्व अधिसूचित कार्यालय का नाम	यथासंशोधित अधिसूचित कार्यालय का नाम
1.	कार्यालय मुख्य आयकर आयुक्त-1, लखनऊ	कार्यालय आयकर आयुक्त-1, लखनऊ
2.	कार्यालय मुख्य आयकर आयुक्त-2, लखनऊ	कार्यालय आयकर आयुक्त-2, लखनऊ
3.	कार्यालय संयुक्त आयकर आयुक्त (टी०डी०एस०), लखनऊ	कार्यालय आयकर आयुक्त (टी०डी०एस०), लखनऊ
4.	कार्यालय आयकर आयुक्त (आई०एण्ड सी०आई०), लखनऊ	कार्यालय आयकर निदेशक (आई०एण्ड सी०आई०), लखनऊ
5.	कार्यालय आयकर उप/सहायक निदेशक (केन्द्रीय)- 1, लखनऊ	कार्यालय आयकर उप/सहायक आयुक्त (केन्द्रीय)- 1, लखनऊ
6.	कार्यालय आयकर उप/सहायक निदेशक (केन्द्रीय)-2, लखनऊ	कार्यालय आयकर उप/सहायक आयुक्त (केन्द्रीय)-2, लखनऊ

मुख्य आयकर आयुक्त, बरेली प्रभार एवं अधीनस्थ कार्यालय	
क्रम सं०	कार्यालय का नाम
1.	कार्यालय मुख्य आयकर आयुक्त, बरेली
2.	कार्यालय आयकर आयुक्त (अपील), बरेली
3.	कार्यालय आयकर आयुक्त, बरेली
4.	कार्यालय अपर/संयुक्त आ०आ० रेंज-1 बरेली
5.	कार्यालय अपर/सहायक आयकर आयुक्त, सर्किल-1, बरेली
6.	कार्यालय आयकर अधिकारी-1(1), बरेली
7.	कार्यालय आयकर अधिकारी-1(2), बरेली
8.	कार्यालय कर वसूली अधिकारी रेंज-1, बरेली
9.	कार्यालय आयकर अधिकारी -1, शाहजहांपुर
10.	कार्यालय आयकर अधिकारी -2, शाहजहांपुर
11.	कार्यालय अपर/संयुक्त आ०आ० रेंज-2, बरेली
12.	कार्यालय उप/सहायक आयकर आयुक्त, सर्किल-2, बरेली
13.	कार्यालय आयकर अधिकारी-2(1), बरेली
14.	कार्यालय आयकर अधिकारी-2(2), बरेली
15.	कार्यालय कर वसूली अधिकारी रेंज-2, बरेली
16.	कार्यालय आयकर अधिकारी वार्ड-1, पीलीभीत
17.	कार्यालय आयकर अधिकारी वार्ड-2, पीलीभीत
18.	कार्यालय अपर/संयुक्त आयकर आयुक्त, रेंज-सीतापुर
19.	कार्यालय उप/सहायक आयकर आयुक्त, सर्किल-सीतापुर
20.	कार्यालय आयकर अधिकारी-सीतापुर
21.	कार्यालय कर वसूली अधिकारी-सीतापुर
22.	कार्यालय आयकर अधिकारी वार्ड-1, लखीमपुर, खीरी
23.	कार्यालय आयकर अधिकारी वार्ड-2, लखीमपुर, खीरी
24.	कार्यालय आयकर अधिकारी वार्ड, हरदोई
25.	कार्यालय आयकर आयुक्त, मुरादाबाद
26.	कार्यालय अपर/संयुक्त आयकर आयुक्त, रेंज-1, मुरादाबाद
27.	कार्यालय उप/सहायक आयकर आयुक्त, सर्किल-1, मुरादाबाद
28.	कार्यालय आयकर अधिकारी-1(1), मुरादाबाद
29.	कार्यालय कर वसूली अधिकारी-1, मुरादाबाद
30.	कार्यालय आयकर अधिकारी-1, रामपुर

क्रम सं०	कार्यालय का नाम
31.	कार्यालय आयकर अधिकारी-2, रामपुर
32.	कार्यालय आयकर अधिकारी, सम्भल
33.	कार्यालय अपर/संयुक्त आयकर आयुक्त, रेंज-2, मुरादाबाद
34.	कार्यालय उप/सहायक आयकर आयुक्त सर्किल-2, मुरादाबाद
35.	कार्यालय आयकर अधिकारी -2(1), मुरादाबाद
36.	कार्यालय आयकर अधिकारी-2(2), मुरादाबाद
37.	कार्यालय कर वसूली अधिकारी-2, मुरादाबाद
38.	कार्यालय आयकर अधिकारी, चन्दौसी
39.	कार्यालय आयकर अधिकारी, बदायूं
40.	कार्यालय अपर/संयुक्त आयकर आयुक्त, रेंज-बिजनौर
41.	कार्यालय आयकर अधिकारी-1, बिजनौर
42.	कार्यालय आयकर अधिकारी-2, बिजनौर
43.	कार्यालय कर वसूली अधिकारी, बिजनौर
44.	कार्यालय उप/सहायक आयकर आयुक्त, नजीबाबाद
45.	कार्यालय आयकर अधिकारी-1, नजीबाबाद
46.	कार्यालय आयकर अधिकारी-2, नजीबाबाद

मुख्य आयकर आयुक्त, भोपाल क्षेत्र एवं अधीनस्थ कार्यालय

क्रम सं०	कार्यालय का नाम
1	कार्यालय आयकर आयुक्त-I, जबलपुर
2	कार्यालय आयकर आयुक्त-II, जबलपुर
3	कार्यालय अपर/संयुक्त आयकर आयुक्त परि.-I जबलपुर
4	कार्यालय अपर/संयुक्त आयकर आयुक्त परि.-II जबलपुर
5	कार्यालय अपर/संयुक्त आयकर आयुक्त, छिंदवाड़ा
6	कार्यालय अपर/संयुक्त आयकर आयुक्त, सागर
7	कार्यालय अपर/संयुक्त आयकर आयुक्त, सतना
8	कार्यालय अपर/संयुक्त आयकर आयुक्त, कटनी
9	कार्यालय आयकर अधिकारी, रीवा
10	कार्यालय आयकर अधिकारी, सिवानी
11	कार्यालय आयकर अधिकारी, बालाघाट
12	कार्यालय आयकर अधिकारी, दमोह
13	कार्यालय आयकर अधिकारी, शहडोल

मुख्य आयकर आयुक्त, पुणे क्षेत्र एवं अधीनस्थ कार्यालय

क्रम सं०	कार्यालय का नाम
1	कार्यालय मुख्य आयकर आयुक्त-I, पुणे
2	कार्यालय मुख्य आयकर महानिदेशक (अन्वेषण), पुणे
3	कार्यालय आयकर आयुक्त-I, पुणे
4	कार्यालय अपर आयकर आयुक्त-रैंज-1, पुणे
5	कार्यालय आयकर आयुक्त (टीडीएस), पुणे
6	कार्यालय सहायक आयकर आयुक्त-रैंज, अहमदनगर
7	कार्यालय आयकर निदेशक (आई टी/टी पी), पुणे
8	कार्यालय आयकर आयुक्त-IV, पुणे
9	कार्यालय संयुक्त आयकर आयुक्त-रैंज-1, सोलापुर
10	कार्यालय संयुक्त आयकर आयुक्त-रैंज-2, सोलापुर
11	कार्यालय अपर आयकर आयुक्त-रैंज-7, पुणे
12	कार्यालय आयकर आयुक्त (अपील्स)-I, पुणे
13	कार्यालय आयकर आयुक्त (अपील्स)-II, पुणे
14	कार्यालय आयकर आयुक्त (अपील्स)-III, पुणे
15	कार्यालय आयकर आयुक्त (अपील्स)-IV, पुणे
16	कार्यालय आयकर आयुक्त (कंप्र), पुणे
17	कार्यालय आयकर आयुक्त (अपील्स) (अंक/अमुनि), पुणे
18	कार्यालय अपर आयकर आयुक्त (अन्वेषण), कोल्हापुर

मुख्य आयकर आयुक्त, हुबली व पणजी क्षेत्र एवं अधीनस्थ कार्यालय

क्रम सं.	कार्यालय का नाम
1	कार्यालय आयकर आयुक्त, हुबली
2	कार्यालय आयकर आयुक्त, सिरसी
3	कार्यालय आयकर अधिकारी, गदग
4	कार्यालय संयुक्त आयुक्त, रैंज-3, हुबली
5	कार्यालय आयकर उप निदेशक (अन्व.), हुबली
6	कार्यालय आयकर आयुक्त, गुलबर्गा
7	कार्यालय संयुक्त आयुक्त, गुलबर्गा रैंज
8	कार्यालय संयुक्त आयुक्त, रायचूर रैंज
9	कार्यालय संयुक्त आयुक्त, बेल्लारी रैंज
10	कार्यालय आयकर आयुक्त, दावणगेरे
11	कार्यालय संयुक्त आयकर आयुक्त, दावणगेरे रैंज
12	कार्यालय आयकर अधिकारी, हावेरी
13	कार्यालय आयकर अधिकारी, चित्रदुर्गा

मुख्य आयकर आयुक्त, पणजी क्षेत्र

क्रम सं०	कार्यालय का नाम
1	कार्यालय मुख्य आयकर आयुक्त, पणजी
2	कार्यालय आयकर अपर/संयुक्त आयुक्त, मडगांव
3	कार्यालय आयकर आयुक्त (अपील), मडगांव
4	कार्यालय आयकर आयुक्त (अपील), पणजी

दिल्ली क्षेत्र के कार्यालय

क्रम सं०	कार्यालय का नाम
1	आयकर महानिदेशालय (प्रचालन तंत्र), नई दिल्ली
2	आयकर निदेशालय (बीपीआर), नई दिल्ली
3	आयकर निदेशालय (व्यय बजट), नई दिल्ली
4	आयकर निदेशालय (मांसंगवि), नई दिल्ली

मुख्य आयकर आयुक्त, पूर्वोत्तर क्षेत्र एवं अधीनस्थ कार्यालय

क्रम सं०	कार्यालय का नाम
1	आयकर निदेशक (अन्वेषण) का कार्यालय, पूर्वोत्तर क्षेत्र गुवाहाटी

[फा० सं० 2300/राभाप्र/2013-14]

आर० एम० गर्ग, आयकर निदेशक (जसंमुप्र० एवं रा० भा०)

(OFFICIAL LANGUAGE DIVISION)

[DIRECTORATE OF INCOME TAX (PR, PP & OL)]

New Delhi, the 8th November, 2013

S.O. 2416.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the Attached/Subordinate Offices (as mentioned in the Schedule) of the Central Board of Direct Taxes, whereof more than 80% of the staff have acquired the working knowledge of Hindi.

SCHEDULE

Chief Commissioner of Income Tax, Kanpur Region and Subordinate Offices

S.No.	Name of the Office
1	O/o The Chief Commissioner of Income Tax, Kanpur
2	O/o The Commissioner of Income Tax (First) Kanpur
3	O/o The Addl./Joint Commissioner of Income Tax (Range-1), Kanpur
4	O/o The Addl./Joint Commissioner of Income Tax (Range-2), Kanpur

S.No.	Name of the Office
5	O/o The Addl./Joint Commissioner of Income Tax (Range-3), Kanpur
6	O/o The Commissioner of Income Tax (Second), Kanpur
7	O/o The Addl./Joint Commissioner of Income Tax (Range-4) Kanpur
8	O/o The Addl./Joint Commissioner of Income Tax (Range-5) Kanpur
9	O/o The Addl./Joint Commissioner of Income Tax (Range-6), Kanpur
10	O/o The Commissioner of Income Tax (Audit), Kanpur
11	O/o The Commissioner of Income Tax (Appeal)-I, Kanpur
12	O/o The Commissioner of Income Tax (Appeal)-II Kanpur
13	O/o The Commissioner of Income Tax (C.O.), Kanpur
14	O/o The Commissioner of Income Tax (TDS) Kanpur
15	O/o The Income Tax Officer, Banda
16	O/o The Income Tax Officer, Urai
17	O/o The Commissioner of Income Tax (First) Agra
18	O/o The Addl./Joint Commissioner of Income Tax (Range-1), Agra
19	O/o The Addl./Joint Commissioner of Income Tax (Range-2), Agra
20	O/o The Addl./Joint Commissioner of Income Tax (Range-3), Agra
21	O/o The Commissioner of Income Tax (Second), Agra
22	O/o The Addl./Joint Commissioner of Income Tax (Range-4), Firozabad
23	O/o The Addl./Joint Commissioner of Income Tax (Range-5), Mathura
24	O/o The Joint Commissioner of Income Tax (Range-6), Jhansi
25	O/o The Commissioner of Income Tax (Appeal)-I, Agra
26	O/o The Commissioner of Income Tax (Appeal)-II, Agra
27	O/o The Income Tax Officer, Etawah
28	O/o The Income Tax Officer, Etawah (Oraiya)

Chief Commissioner of Income Tax, Dehradun Charge and Subordinate Offices

S.No.	Name of the Office
1	O/o The Chief Commissioner of Income Tax, Dehradun
2	O/o The Commissioner of Income Tax Dehradun
3	O/o The Commissioner of Income Tax (Appeal)-I & II, Dehradun
4	O/o The Addl. Commissioner of Income Tax Range-1, Dehradun
5	O/o The Addl. Commissioner of Income Tax Range-2, Dehradun
6	O/o The Addl. Commissioner of Income Tax, Range - Haridwar
7	O/o The Income Tax Officer (Ward-1), Roorkee
8	O/o The Income Tax Officer (Ward-2), Roorkee
9	O/o The Income Tax Officer (Ward-1), Rishikesh
10	O/o The Income Tax Officer (Ward-2), Rishikesh
11	O/o The Income Tax Officer, Shrinagar
12	O/o The Income Tax Officer, Kotdwar
13	O/o The Commissioner of Income Tax, Haldwani
14	O/o The Addl. Commissioner of Income Tax, Range - Nainital
15	O/o The Addl. Commissioner of Income Tax, Range - Kashipur
16	O/o The Addl. Commissioner of Income Tax, Range - Haldwani
17	O/o The Income Tax Officer, Rudrapur
18	O/o The Income Tax Officer, Pithoragarh
19	O/o The Income Tax Officer, Almora
20	O/o The Income Tax Officer, Khatima

Chief Commissioner of Income Tax, Ghaziabad Charge and Subordinate Offices

S.No.	Name of the Office
1	O/o The Chief Commissioner of Income Tax, Ghaziabad
2	O/o The Commissioner of Income Tax, Ghaziabad
3	O/o The Commissioner of Income Tax, Ghaziabad (Appeal)
4	O/o The Addl. Commissioner of Income Tax, Range-1, Ghaziabad

S.No.	Name of the Office
5	O/o The Addl. Commissioner of Income Tax, Range-2, Ghaziabad
6	O/o The Addl. Commissioner of Income Tax, Range, Bulandshehar
7	O/o The The Income Tax Officer, Hapur
8	O/o The Commissioner of Income Tax, Aligarh
9	O/o The Addl. Commissioner of Income Tax, Aligarh
10	O/o The Addl. Commissioner of Income Tax Range, Etah
11	O/o The Addl. Commissioner of Income Tax Range-1, Farrukhabad
12	O/o The Income Tax Officer, Mainpuri
13	O/o The Income Tax Officer, Kasgang
14	O/o The Income Tax Officer Kannauj
15	O/o The Income Tax Officer, Hathras
16	O/o The Commissioner of Income Tax, Meerut
17	O/o The Commissioner of Income Tax (Appeal), Meerut
18	O/o The Addl./Commissioner of Income Tax Range-1, Meerut
19	O/o The Addl./Commissioner of Income Tax Range-2, Meerut
20	O/o The Income Tax Officer, Baraut
21	O/o The Commissioner of Income Tax, Noida
22	O/o The Commissioner of Income Tax (Appeal), Noida
23	O/o The Addl. Commissioner of Income Tax, Range-1, Noida
24	O/o The Addl. Commissioner of Income Tax Range-2, Noida
25	O/o The Addl. Commissioner of Income Tax, Range-3 Noida
26	O/o The Commissioner of Income Tax, Muzaffarnagar
27	O/o The Commissioner of Income Tax (Appeal), Muzaffarnagar
28	O/o The Addl. Commissioner of Income Tax, Range-1, Muzaffarnagar
29	O/o The Addl. Commissioner of Income Tax, Range-2, Muzaffarnagar
30	O/o The Addl. Commissioner of Income Tax Range-Saharanpur

S.No.	Name of the Office
31	O/o The Income Tax Officer, Khatuli
32	O/o The Income Tax Officer, Shamli
33	O/o The Income Tax Officer, Deoband

Chief Commissioner of Income Tax, Lucknow and Subordinate Offices

List of Offices which are required to be notified:—

S.No.	Name of the Office
1	O/o The Addl./Jt. Commissioner of Income Tax, International Taxation, Lucknow

Name of offices which are already notified as on 13.10.2012 and required to be re-notified as amended.

S. No.	Name of the Office	Name of Offices which are now to be re-notified as amended
1	O/o The Chief Commissioner of Income Tax- 1, Lucknow	O/o The Commissioner of Income Tax - 1, Lucknow
2	O/o The Chief Commissioner of Income Tax- 2, Lucknow	O/o The Commissioner of Income Tax - 2, Lucknow
3	O/o The Joint Commissioner of Income Tax (TDS), Lucknow	O/o The Commissioner of Income Tax (TDS), Lucknow
4	O/o The Commissioner of Income Tax (C&C.1.), Lucknow	O/o The Director of Income Tax (C&C.1), Lucknow
5	O/o The Dy./Asstt. Director (Central), - 1, Lucknow	O/o The Dy./Asstt. Commissioner of Income Tax (Central), - 1, Lucknow
6	O/o The Dy./Asstt. Director (Central) - 2, Lucknow	O/o The Dy./Asstt. Commissioner of Income Tax (Central) - 2, Lucknow

Chief Commissioner of Income Tax, Bareilly Charge and Subordinate Offices

S.No.	Name of the Office
1	O/o The Chief Commissioner of Income Tax, Bareilly
2	O/o The Commissioner of Income Tax (Appeal), Bareilly
3	O/o The Commissioner of Income Tax, Bareilly
4	O/o The Addl./Joint Commissioner of Income Tax, Range-1 Bareilly
5	O/o The Dy./Asstt. Commissioner of Income Tax, Circle-1, Bareilly
6	O/o The Income Tax Officer - 1 (1), Bareilly

S.No.	Name of the Office
7	O/o The Income Tax Officer - 1 (2), Bareilly
8	O/o The Tax Recovery Officer Range - 1, Bareilly
9	O/o The Income Tax Officer - 1, Shahjahanpur
10	O/o The Income Tax Officer-2, Shahjahanpur
11	O/o The Addl./Joint Commissioner of Income Tax, Range -2 Bareilly
12	O/o The Dy./Asstt. Commissioner of Income Tax, Circle-2, Bareilly
13	O/o The Income Tax Officer-2(1), Bareilly
14	O/o The Income Tax Officer - 2 (2), Bareilly
15	O/o The Tax Recovery Officer Range-2, Bareilly
16	O/o The Income Tax Officer Ward - 1 Peelibheet
17	O/o The Income Tax Officer Ward - 2 Peelibheet
18	O/o The Addl./Joint Commissioner of Income Tax, Range, Sitapur
19	O/o The Dy./Asstt. Commissioner of Income Tax, Circle, Sitapur
20	O/o The Income Tax Officer, Sitapur
21	O/o The Tax Recovery Officer, Sitapur
22	O/o The Income Tax Officer Ward - 1, Lakhimpur Kheri
23	O/o The Income Tax Officer Ward-2, Lakhimpur Kheri
24	O/o The Income Tax Officer Ward, Hardoi
25	O/o The Commissioner of Income Tax, Moradabad
26	O/o The Addl./Joint Commissioner of Income Tax, Range-1, Moradabad
27	O/o The Dy./Asstt. Commissioner of Income Tax, Circle-1, Moradabad
28	O/o The Income Tax Officer - 1 (1), Moradabad
29	O/o The Tax Recovery Officer -1, Moradabad
30	O/o The Income Tax Officer-1, Rampur
31	O/o The Income Tax Officer-2, Rampur
32	O/o The Income Tax Officer Sambhal
33	O/o The Addl./Joint Commissioner of Income Tax, Range-2, Moradabad
34	O/o The Dy./Asstt. Commissioner of Income Tax, Circle-2, Moradabad
35	O/o The Income Tax Officer-2(1), Moradabad
36	O/o The Income Tax Officer -2 (2), Moradabad
37	O/o The Tax Recovery Officer -2, Moradabad
38	O/o The Income Tax Officer, Chandausi
39	O/o The Income Tax Officer, Badaun

S.No.	Name of the Office
40	O/o The Addl./Joint Commissioner of Income Tax, Range, Bijnore
41	O/o The Income Tax Officer - 1 Bijnore
42	O/o The Income Tax Officer-2 Bijnore
43	O/o The Tax Recovery Officer, Bijnore
44	O/o The Dy./Asstt. Commissioner of Income Tax, Najibabad
45	O/o The Income Tax Officer-1 Najibabad
46	O/o The Income Tax Officer-2 Najibabad

Chief Commissioner of Income Tax, Bhopal Region and Subordinate Offices

S.No.	Name of the Office
1	O/o The Commissioner of Income Tax - I, Jabalpur
2	O/o The Commissioner of Income Tax - II, Jabalpur
3	O/o The Addl./Joint Commissioner of Income Tax, Range - I, Jabalpur
4	O/o The Addl./Joint Commissioner of Income Tax, Range - II, Jabalpur
5	O/o The Addl./Joint Commissioner of Income Tax - Chhindwara
6	O/o The Addl./Joint Commissioner of Income Tax - Sagar
7	O/o The Addl./Joint Commissioner of Income Tax - Satna
8	O/o The Addl./Joint Commissioner of Income Tax - Katni
9	O/o The Income Tax Officer, Rewa
10	O/o The Income Tax Officer, Siwani
11	O/o The Income Tax Officer, Balaghat
12	O/o The Income Tax Officer, Damoh
13	O/o The Income Tax Officer, Shahdol

Chief Commissioner of Income Tax, Pune Region and Subordinate Offices

S.No.	Name of the Office
1	O/o The Chief Commissioner of Income Tax-I, Pune
2	O/o The Director General of Income Tax (Inv.), Pune
3	O/o The Income Tax Commissioner-I, Pune
4	O/o The Addl. Commissioner of Income Tax-Range-I, Pune
5	O/o The Commissioner of Income Tax (TDS), Pune

S.No.	Name of the Office
6	O/o The Asst. Commissioner of Income Tax Range, Ahmednagar
7	O/o The Director of Income Tax (IT/TP), Pune
8	O/o The Commissioner of Income Tax-IV, Pune
9	O/o The Jt. Commissioner of Income Tax-Range-I, Solapur
10	O/o The Jt. Commissioner of Income Tax-Range-2, Solapur
11	O/o The Addl. Commissioner of Income Tax Range-7, Pune
12	O/o The Commissioner of Income Tax (Appeals)-I, Pune
13	O/o The Commissioner of Income Tax (Appeals)-II, Pune
14	O/o The Commissioner of Income Tax (Appeals)-III, Pune
15	O/o The Commissioner of Income Tax (Appeals)-V, Pune
16	O/o The Commissioner of Income Tax (CO), Pune
17	O/o The Commissioner of Income Tax (Appeals) (IT/TP), Pune
18	O/o The Addl. Commissioner of Income Tax (Inv.), Kolhapur

Chief Commissioner of Income Tax, Hubli & Panaji Region and Subordinate Offices

S.No.	Name of the Office
1	O/o The Commissioner of Income Tax-I, Hubli
2	O/o The Income Tax Officer, Sirsi
3	O/o The Income Tax Officer, Gadag
4	O/o The Joint Commissioner of Income Tax, Range-3, Hubli
5	O/o The Dy. Director of Income Tax (Inv.), Hubli
6	O/o The Commissioner of Income Tax, Gulbarga
7	O/o The Joint Commissioner of Income Tax, Gulbarga Range
8	O/o The Joint Commissioner of Income Tax, Raichur Range
9	O/o The Joint Commissioner of Income Tax, Bellary Range
10	O/o The Commissioner of Income Tax, Davangere
11	O/o The Joint Commissioner of Income Tax, Davangere Range
12	O/o The Income Tax Officer, Haveri

S.No.	Name of the Office
13	O/o The Income Tax Officer, Chitardurga
Chief Commissioner of Income Tax, Panaji Region	
1	O/o The Chief Commissioner of Income Tax, Panaji
2	O/o The Addl./Joint Commissioner of Income Tax, Margao
3	O/o The Commissioner of Income Tax (Appeals), Panaji

Delhi Region Offices

S.No.	Name of the Office
1	Directorate General of Income Tax (Logistics), New Delhi
2	Directorate of Income Tax (B.P.R.), New Delhi
3	Directorate of Income Tax (Expenditure Budget), New Delhi
4	Directorate of Income Tax (HRD), New Delhi

Chief Commissioner of Income Tax, N.E. Region, Guwahati and Subordinate Offices

S.No.	Name of the Office
1	Directorate of Income Tax (Investigation), N.E. Region, Guwahati

[F. No. 2300/O.L.D./2013-14]

R. M. GARG, Director of Income Tax (PR, PP & OL)

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 18 नवम्बर, 2013

का०आ० 2417.—राजनयिक और कांसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में केन्द्र सरकार एतद्वारा श्री असीम मंडल, सहायक को 18 नवम्बर, 2013 से भारत के राजदूतावास, अदिस अबाबा, सहायक कौंसुलर अधिकारी के कर्त्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं० टी० 4330/01/2006]

सुचित्रा दुरैय, संयुक्त सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV DIVISION)

New Delhi, the 18th November, 2013

S.O. 2417.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government

hereby authorize Shri Asim Mandal, Assistant, in Embassy of India, Addis Ababa to perform the duties of Assistant Consular Officer with effect from 18th November, 2013.

[No.T.4330/01/2006]

SUCHITRA DURAI, Jt. Secy. (Consular)

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

(स्वास्थ्य एवं परिवार कल्याण विभाग)

नई दिल्ली, 28 दिसम्बर, 2012

का०आ० 2418.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (4) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद तथा इस मंत्रालय की दिनांक 20.04.2009 की समसंख्यक अधिसूचना में आंशिक संशोधन से, एतद्वारा उक्त अधिनियम की अनुसूची के भाग-III में निम्नलिखित संशोधन करती हैं अर्थात्:-

लंदन विश्वविद्यालय के सम्बंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-III में, क्रम संख्या 9 के समक्ष कॉलम 2 एवं 3 की मौजूदा प्रविष्टियों में "यूनिवर्सिटी ऑफ लंदन, डिपार्टमेंट ऑफ एपिडेमोलोजी एंड पब्लिक हैल्थ, लंदन" शीर्षक के तहत निम्नलिखित को अंतःस्थापित किया जाएगा:—

"एमएससी (डेंटल पब्लिक हैल्थ) एमएससी (डेंटल पब्लिक हैल्थ), जो भारतीय विश्वविद्यालयों यूनिवर्सिटी ऑफ लंदन" द्वारा प्रदान की जाने वाली एमडीएस डिग्री के समक्ष है (यदि 1.1.1993 को या उसके पहले प्रदान की हो)

[फा० सं० वी-12018/2/2007-डीई]

अनीता त्रिपाठी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 28th December, 2012

S.O. 2418.—In exercise of the powers conferred by clause (b) sub-section (4) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India and in partial modification in this Ministry's Notification of even no. dated 20.4.2009, hereby, makes the following further amendments in Part-III of the Schedule to the said Act, namely:—

2. The existing entries of column 2 & 3 of serial number 9 in part-III of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to University of London under the heading "University College of London, Department of Epidemiology and Public Health, London" shall be substituted as follows:—

"M.Sc is Dental Public Health as equivalent to MDS Degree awarded by Indian Universities if granted on or before 1.11.1993.

M.Sc in Dental Public Health, University of London."

[F.No. V-12018/2/2007-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 14 फरवरी, 2013

का०आ० 2419.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद, एतद्वारा उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित संशोधन करती हैं अर्थात्:-

श्री गोविंद त्रिशताब्दी डेंटल कॉलेज; अस्पताल एवं अनुसंधान संस्थान बुढेरा, के लिए पंडित बी०डी० शर्मा स्वास्थ्य विज्ञान विश्वविद्यालय, रोहतक द्वारा प्रदत्त दंत चिकित्सा डिग्रियों की मान्यता के सम्बंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 84 के समक्ष कॉलम 2 एवं 3 मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी:—

मास्टर ऑफ डेंटल सर्जरी

ओरल पैथोलॉजी एंड माईक्रो-बायोलोजी (यदि 29.05.2012 को या उसके बाद प्रदान की गई)	एम०डी०एस० (ओरल पैथोलॉजी), पंडित बी०डी० शर्मा स्वास्थ्य विज्ञान विश्वविद्यालय, रोहतक
पब्लिक हैल्थ डेंटिस्ट्री (यदि 30.05.2012 को या उसके बाद प्रदान की गई)	एम०डी०एस० (पब्लिक हैल्थ डेंटिस्ट्री), पंडित बी०डी० शर्मा स्वास्थ्य विज्ञान विश्वविद्यालय, रोहतक

[फा० सं० वी-12017/20/2007-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 14th February, 2013

S.O. 2419.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 84, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Pt. B.D. Sharma University of Health Sciences, Rohtak, against Sri Govind Tricentenary Dental College,

Hospital and Research Institute, Budhera, the following entries shall be inserted thereunder:—

"Master of Dental Surgery

Oral Pathology & Microbiology (if granted on or after 29.5.2012) MDS (Oral Path.), Pt. B.D. Sharma University of Health Sciences, Rohtak.

Public Health Dentistry (if granted on or after 30.5.2012) MDS (Pub. Health), Pt. B.D. Sharma University of Health Sciences, Rohtak."

[F.No. V-12017/20/2007-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 23 मई, 2013

का०आ० 2420.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद, एतद्वारा उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित संशोधन करती हैं अर्थात्:—

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या के बाद निम्नलिखित क्रम संख्या और प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात्:—

"112 श्री सिद्धार्थ विश्वविद्यालय, टूमकुर	श्री सिद्धार्थ डेंटल कालेज, टूमकुर बैचलर ऑफ डेंटल सर्जरी	बी डी एस, श्री सिद्धार्थ विश्वविद्यालय, टूमकुर"
	(यदि 28.07.2012 को या उसके बाद प्रदान की गई)	

[सं० वी-12017/57/2009-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 23rd May, 2013

S.O. 2420.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) after Serial No., the following Serial number and entries shall be inserted, namely:—

"112 Sri Siddhartha University, Tumkur

Sri Siddhartha Dental College, Tumkur

Bachelor of Dental Surgery (if granted on or after 28.7.2012) BDS, Sri Siddhartha University, Tumkur."

[No. V-12017/57/2009-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 30 जुलाई, 2013

का०आ० 2421.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती हैं अर्थात्:—

(2) "हिमाचल डेंटल कॉलेज एवं अस्पताल, सुंदरनगर" के समक्ष हिमाचल प्रदेश विश्वविद्यालय, शिमला द्वारा प्रदत्त दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 52 के समक्ष कालम 2 एवं 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी:

"मास्टर ऑफ डेंटल सर्जरी

कन्सर्वेटिव डेनस्ट्रीय एवं इन्डोडोनटीकल (यदि 4.6.2013 या उसके बाद प्रदान की गई हो)	एमडीएस (कोनस डेनस्ट्री) हिमाचल प्रदेश, विश्वविद्यालय, शिमला"
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[सं० वी-12017/19/2009-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 30th July, 2013

S.O. 2421.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 52, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Himachal Pradesh University, Shimla against Himachal Dental College & Hospital, Sundernagar, the following entries shall be inserted thereunder:—

"Master of Dental surgery

Conservative Dentistry and Endodontics (if granted on or after 4.6.2013)

MDS (Cons. Dentistry), Himachal Pradesh University, Shimla."

[No. V-12017/19/2009-DE]
ANITA TRIPATHI, Under Secy.

नई दिल्ली, 31 जुलाई, 2013

का०आ० 2422.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची की अनुसूची के भाग-I में निम्नलिखित संशोधन करती है अर्थात्:—

मीनाक्षी उच्च शिक्षा एवं अनुसंधान अकादमी, चैन्नई द्वारा प्रदत्त दंत चिकित्सा डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में मीनाक्षी अम्मल डेंटल कॉलेज एंड अस्पताल, चैन्नई, तमिलनाडु के सम्बंध में क्रम संख्या 77 के समक्ष कालम 2 एवं 3 की मौजूदा प्रविष्टियों में 'मास्टर आफ डेंटल सर्जरी' शीर्षक के अंतर्गत निम्नलिखित प्रविष्टियां अन्तःस्थापित की जायेगी:—

ओरल मेक्सिलोफेशियल सर्जरी (यदि 14.02.2013 या उसके बाद प्रदान की गई)	एम डी एस (ओरल सर्जरी), मीनाक्षी उच्च शिक्षा एवं अनुसंधान अकादमी, चैन्नई
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[सं० वी-12017/13/2008-डी ई]
अनीता त्रिपाठी, अवर सचिव

New Delhi, the 31st July, 2013

S.O. 2422.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against I of Serial No. 77, in respect of Meenakshi Ammal Dental College & Hospital, Chennai, Tamil Nadu, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Meenakshi Academy of Higher Education and Research, Chennai, the following entries under the heading "**Master of Dental Surgery**" shall be inserted thereunder:—

Oral Maxillofacial Surgery (if granted on or after 14.02.2013)	MDS (Oral Surg.) Meenakshi Academy of Higher Education and Research, Chennai
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[No. V-12017/13/2008-DE]
ANITA TRIPATHI, Under Secy.

नई दिल्ली, 31 जुलाई, 2013

का०आ० 2423.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची की अनुसूची के भाग-I में निम्नलिखित संशोधन करती है अर्थात्:—

राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलूर, कर्नाटक द्वारा प्रदत्त दंत चिकित्सा डिग्रियों की मान्यता के संबंध में एम०आर० अम्बेडकर डेंटल कॉलेज एंड अस्पताल, बेंगलूर, कर्नाटक के समक्ष दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 49 के VIII के समक्ष कालम 2 एवं 3 की मौजूदा प्रविष्टियों में "मास्टर आफ डेंटल सर्जरी" शीर्षक के तहत निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी:—

पैडोडेंटिक्स एंड प्रीवेंटीव डेंटिस्ट्री (यदि 22.05.2013 को या उसके बाद प्रदान की गई)	एम०डी०एस० (पैडो)०, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलूर, कर्नाटक
पब्लिक हेल्थ डेंटिस्ट्री (यदि 22.05.2013 को या उसके बाद प्रदान की गई)	एम०डी०एस० (पब्लिक हेल्थ डेंटिस्ट्री), राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलूर, कर्नाटक

[सं० वी-12017/14/2009-डी ई]
अनीता त्रिपाठी, अवर सचिव

New Delhi, the 31st July, 2013

S.O. 2423.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against VIII of Serial No. 49, in respect of M.R. Ambedkar Dental College & Hospital, Bangalore, Karnataka, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajiv Gandhi University of Health Sciences, Bangalore, Karnataka, the following entries under the heading "**Master of Dental Surgery**" shall be inserted thereunder:—

Paedodontics and Preventive Dentistry (if granted on or after 22.05.2013)	MDS (Paedo.), Rajiv Gandhi University of Health Sciences, Bangalore
Public Health Dentistry (if granted on or after 22.05.2013)	MDS (Public Health Dent.), Rajiv Gandhi University of Health Sciences, Bangalore

[No. V-12017/14/2009-DE]
ANITA TRIPATHI, Under Secy.

नई दिल्ली, 8 अगस्त, 2013

का०आ० 2424.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है अर्थात्:

(2) “छत्तीसगढ़ डेंटल कालेज एवं रिसर्च संस्थान, राजनांदागांव” के समक्ष, छत्तीसगढ़ आयुष एवं स्वास्थ्य विज्ञान विश्वविद्यालय, रायपुर द्वारा प्रदत्त दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 112 के समक्ष कालम 2 एवं 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी।

2	3
(मास्टर ऑफ डेंटल सर्जरी)	एम० डी० एस० (आर्थो) छत्तीसगढ़ आयुष एवं स्वास्थ्य विज्ञान विश्वविद्यालय, रायपुर
(शैक्षणिक वर्ष 2010-11 के दौरान दाखिला लेने वाले छात्रों के संबंध में 3 सीटों और तत्पश्चात् अग्रिम दो सीटों के साथ यदि दिनांक 30.4.2013 को या उसे बाद प्रदान हो।	
परियोजनाटोलॉजी (यदि 8.5.2013 को या उसके बाद प्रदान की गई है)	एमडीएस (पैरो) छत्तीसगढ़ आयुष एवं स्वास्थ्य विज्ञान विश्वविद्यालय, रायपुर

[सं० वी-12017/77/2005-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 8th August, 2013

S.O. 2424.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 112, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Chhattisgarh Ayush and Health Sciences University, Raipur, against Chhattisgarh Dental College & Research Institute, Rajnandgaon, the following entries shall be inserted thereunder:—

"Master of Dental Surgery

-Orthodontics & Dentofacial Orthopedics (if granted on or after 30.4.2013 with 3 seats in respect of the students admitted during the academic year 2010-11 and subsequently with 2 seats onwards)	MDS (Ortho.), Chhattisgarh Ayush and Health Sciences University, Raipur
-Periodontology (if granted on or after 8.5.2013)	MDS (Perio.), Chhattisgarh Ayush and Health Sciences University, Raipur

[No. V-12017/77/2008-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 29 अगस्त, 2013

का०आ० 2425.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है अर्थात्:

(2) “महाराजा कृष्णकुमार सिंह जी भावनगर विश्वविद्यालय भावनगर” द्वारा प्रदत्त दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 62 के समक्ष कालम 2 एवं 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी।

2	3
“कालेज ऑफ डेन्टल साइंस, भावनगर (गुजरात)	
बेचलर ऑफ डेन्टल सर्जरी (यदि 25.4.2013 को या उसके बाद प्रदान की गई है)	बी० डी० एस० महाराजा कृष्ण कुमार सिंह जी भावनगर विश्वविद्यालय, भावनगर”

[सं० वी-12017/49/2008-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 29th August, 2013

S.O. 2425.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 62, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Maharaja Krishnakumarsinghji Bhavnagar University, Bhavnagar, the following entries shall be inserted thereunder:—

"College of Dental Sciences,
Bhavnagar (Gujarat)

Bachelor of Dental Surgery (if granted on or after 25.4.2013)	BDS Maharaja Krishna- Kumarsinghji Bhavnagar University, Bhavnagar."
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[No. V-12017/49/2008-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 6 नवम्बर, 2012

का०आ० 2426.—केन्द्रीय सरकार भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय चिकित्सा परिषद् से परामर्श करने के बाद, एतद्वारा अर्हता के नाम में बदलाव के कारण उक्त अधिनियम की पहली अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अनुसूची में—

(क) "गुरु गोविंद सिंह इंद्रप्रस्थ विश्वविद्यालय, नई दिल्ली" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक 'पंजीकरण के लिए संक्षेपण' [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

"डॉक्टर ऑफ मेडीसिन (भौतिक चिकित्सा एवं पुनर्वास)"	एम डी (पी एम आर) (यह एक मान्यता प्राप्त चिकित्सा अर्हता होगी यदि यह वर्धमान महावीर मेडीकल कॉलेज एवं स्नातकोत्तर संस्थान, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, गुरु गोविंद सिंह इंद्रप्रस्थ विश्वविद्यालय, नई दिल्ली, द्वारा 2011 में अथवा उसके पश्चात् प्रदान की गई हो)।
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(ख) "पूर्वोत्तर हिल विश्वविद्यालय, शिलांग", के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद

शीर्षक 'पंजीकरण के लिए संक्षेपण' [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

"डॉक्टर ऑफ मेडीसिन (पैथोलोजी)"	एमडी (पैथोलोजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह पूर्वोत्तर इंदिरा गांधी क्षेत्रीय स्वास्थ्य एवं आयुर्विज्ञान संस्थान, शिलांग में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पूर्वोत्तर हिल विश्वविद्यालय, शिलांग द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई हो)।
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"डॉक्टर ऑफ मेडीसिन (माइक्रोबायोलॉजी)"	एम डी (माइक्रोबायोलॉजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह पूर्वोत्तर इंदिरा गांधी क्षेत्रीय स्वास्थ्य एवं आयुर्विज्ञान संस्थान, शिलांग में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पूर्वोत्तर हिल विश्वविद्यालय, शिलांग द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई हो)।
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(ग) "पंजाब विश्वविद्यालय, चंडीगढ़" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक 'पंजीकरण के लिए संक्षेपण' [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

"डॉक्टर ऑफ मेडीसिन (ट्रांस्फ्यूजन मेडीसिन)"	एम डी (ट्रांस्फ्यूजन मेडीसिन) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह राजकीय मेडीकल कॉलेज, चंडीगढ़ में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पंजाब विश्वविद्यालय, चंडीगढ़ द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई हो)।
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(घ) "बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक 'पंजीकरण के लिए संक्षेपण' [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

“डॉक्टर ऑफ मेडीसिन (फार्माकोलॉजी) एम डी (फार्माकोलॉजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गुरु राम दास आयुर्विज्ञान एवं अनुसंधान संस्थान, श्री अमृतसर, पंजाब में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई)।

“डॉक्टर ऑफ मेडीसिन (माईक्रोबायोलॉजी)” एम डी (माईक्रोबायोलॉजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गुरु राम दास आयुर्विज्ञान एवं अनुसंधान संस्थान, श्री अमृतसर, पंजाब में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई)।

“डॉक्टर ऑफ मेडीसिन (ओटो राईनो लैरिंगोलॉजी)” एम एस (ई एन टी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गुरु दाम दास आयुर्विज्ञान एवं अनुसंधान संस्थान, श्री अमृतसर, पंजाब में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब द्वारा जून, 2012 में अथवा उसके पश्चात् प्रदान की गई)।

(ड) “गोवा विश्वविद्यालय, गोवा” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

“बाल रोग में डिप्लोमा” डी सी एच (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गोवा मेडिकल कॉलेज, गोवा में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, गोवा विश्वविद्यालय, गोवा द्वारा 1994 में प्रदान की गई)।

(च) “राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [अब के बाद स्तंभ

(3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

“डॉक्टर ऑफ मेडीसिन (माईक्रोबायोलॉजी)” एम डी (माईक्रोबायोलॉजी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह राजकीय मेडिकल कॉलेज, कोटा में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर द्वारा जून, 2012 में अथवा उसके पश्चात् प्रदान की गई)।

(छ) “आगरा विश्वविद्यालय/डॉ० भीम राव अम्बेडकर विश्वविद्यालय, आगरा, उत्तर प्रदेश” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

“डॉक्टर ऑफ मेडीसिन (क्षय एवं छाती रोग/श्वास रोग)” एम डी (क्षय एवं छाती रोग/श्वास रोग) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एस एन मेडिकल कॉलेज, आगरा में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, आगरा विश्वविद्यालय/डॉ० भीम राव अम्बेडकर विश्वविद्यालय, आगरा, उत्तर प्रदेश द्वारा वर्ष 1991 में अथवा उसके पश्चात् प्रदान की गई)।

(ज) “बुंदेलखंड विश्वविद्यालय, झांसी, उत्तर प्रदेश” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—

“मास्टर ऑफ सर्जरी (ओटो राईनो लैरिंगोलॉजी)” एम एस (कान, नाक, गला) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह महारानी लक्ष्मीबाई मेडिकल कॉलेज, झांसी, उत्तर प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, बुंदेलखंड विश्वविद्यालय, झांसी, उत्तर प्रदेश द्वारा वर्ष 1993 में अथवा उसके पश्चात् प्रदान की गई)।

“लैरिंगोलॉजी और ओटोलॉजी में डिप्लोमा”

डी एल ओ
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह महारानी लक्ष्मीबाई मेडिकल कॉलेज, झांसी, उत्तर प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, बुंदेलखंड विश्वविद्यालय, झांसी, उत्तर प्रदेश द्वारा वर्ष 1992 में अथवा उसके पश्चात् प्रदान की गई)

(झ) “स्वामी विवेकानंद सुभारती विश्वविद्यालय, मेरठ, उत्तर प्रदेश” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

“डॉक्टर ऑफ मेडीसिन (जैव रसायन)”

एम डी (जैव रसायन)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह सुभर्ती मेडिकल कॉलेज, मेरठ, उत्तर प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, स्वामी विवेकानंद सुभारती विश्वविद्यालय, मेरठ, उत्तर प्रदेश द्वारा जून, 2012 में अथवा उसके पश्चात् प्रदान की गई)

“डॉक्टर ऑफ मेडीसिन (फिजियोलॉजी)”

एम डी (फिजियोलॉजी)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह सुभर्ती मेडिकल कॉलेज, मेरठ, उत्तर प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, स्वामी विवेकानंद सुभारती विश्वविद्यालय, मेरठ, उत्तर प्रदेश द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई)

“डॉक्टर ऑफ मेडीसिन (माइक्रोबायोलॉजी)”

एम डी (माइक्रोबायोलॉजी)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह सुभर्ती मेडिकल कॉलेज, मेरठ, उत्तर प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, स्वामी विवेकानंद सुभारती विश्वविद्यालय, मेरठ, उत्तर प्रदेश द्वारा जून, 2012 में अथवा उसके पश्चात् प्रदान की गई)

(ज) “पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [अब के बाद स्तंभ (2) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [अब के बाद स्तंभ (3) के रूप में संदर्भित] के अंतर्गत निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:-

“डॉक्टर ऑफ मेडीसिन (फिजियोलॉजी)”

एम डी (फिजियोलॉजी)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह आर० जी० कार मेडिकल कॉलेज, कोलकाता में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई)

“डॉक्टर ऑफ मेडीसिन (माइक्रोबायोलॉजी)”

एम डी (माइक्रोबायोलॉजी)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह आर० जी० कार मेडिकल कॉलेज, कोलकाता में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता द्वारा मई, 2011 में अथवा उसके पश्चात् प्रदान की गई)

“डॉक्टर ऑफ मेडीसिन (फोरेंसिक मेडीसिन)”

एम डी (फोरेंसिक मेडीसिन)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह आर० जी० कार मेडीकल कॉलेज, कोलकाता में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता द्वारा मई, 2012 में अथवा उसके पश्चात् प्रदान की गई)

“मास्टर ऑफ सर्जरी (जनरल सर्जरी)”

एम एस (जनरल सर्जरी)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह बर्धवान मेडिकल कॉलेज, बर्धवान में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता द्वारा जून, 2012 में अथवा उसके पश्चात् प्रदान की गई)

“डॉक्टर ऑफ सर्जरी (ओटो राईनो लैरिंगोलॉजी)”

एम एस (ई एन टी)
(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह बर्धवान मेडिकल कॉलेज, बर्धवान में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में, पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता द्वारा अप्रैल, 2011 में अथवा उसके पश्चात् प्रदान की गई)

सभी के संबंध में नोट: 1. किसी स्नातकोत्तर पाठ्यक्रम के लिए प्रदत्त ऐसी मान्यता 5 वर्षों की अधिकतम अवधि के लिए होगी, जिसके उपरांत इसका नवीनीकरण करवाना पड़ेगा।

2. उप-खंड 4 में यथापेक्षित मान्यता के समयपूर्वक नवीनीकरण संबंधी अपेक्षा में असफल रहने का अनिवार्यतः परिणाम संबंधित स्नातकोत्तर पाठ्यक्रम में दाखिला बंद करने के रूप में निकलेगा।

[सं. यू. 12012/69/2012-एमई (पी-II)]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 6th November, 2012

S.O. 2426.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change of nomenclature of the qualification namely:—

In the said Schedule—

(a) against "Guru Gobind Singh Indraprastha University, New Delhi" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Docoter of Medicine (Physical Medicine & Rehabilitation)"	MD (PMR) (This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, New Delhi in respect of students being trained at Vardhman Mahavir Medical College & Postgraduate Institute Safdarjung Hospital, New Delhi on or after 2011.)
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(b) against "North Eastern Hill University, Shillong" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Docoter of Medicine (Pathology)"	MD (Pathology) (This shall be a recognised medical qualification when granted by North Eastern Hill University, Shillong in respect of students being trained at North Eastern Indira Gandhi Regional Institute of Health & Medical Sciences, Shilloing on or after May, 2012.)
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"Doctor of Medicine
(Microbiology)"

MD (Microbiology)
(This shall be a recognised
medical qualification when
granted by North Eastern
Hill University, Shillong in
respect of students being
trained at North Eastern
Indira Gandhi Regional
Institute of Health &
Medical Sciences, Shillong
on or after May, 2012.)

(c) against, "Punjab University, Chandigarh" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Doctor of Medicine (Transfusion Medicine)"	MD (Transfusion Medicine) (This shall be a recognised medical qualification when granted by Punjab University, Chandigarh in respect of students being trained at Govt. Medical College, Chandigarh on or after May, 2012.)
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(d) against "Baba Farid University of Health Sciences, Faridkot, Punjab" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Doctor of Medicine (Pharmacology)"	MD (Pharmacology) (This shall be a recognised medical qualification when granted by Baba Farid University of Health Sciences, Faridkot, Punjab in respect of students being trained at Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar, Punjab on or after May, 2012.)
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"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognised medical qualification when granted by Baba Farid University of Health Sciences, Faridkot, Punjab in respect of students being
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	trained at Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar, Punjab on or after May, 2012.)
"Master of Surgery (Oto-Rhino-Laryngology)"	MS(ENT) (This shall be a recognised medical qualification when granted by Baba Farid University of Health Sciences, Faridkot, Punjab in respect of students being trained at Guru Ram Das Institute of Medical Sciences & Research, Sri Amritsar, Punjab on or after June, 2012.)

(e) against "Goa University Goa" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Diploma in Child Health"	DCH (This shall be a recognised medical qualification when granted by Goa University, Goa in respect of students being trained at Goa Medical College, Goa on or after 1994.)
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(f) against "Rajasthan University of Health Sciences, Jaipur" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognised medical qualification when granted by Rajasthan University of Health Sciences, Jaipur in respect of students being trained at Govt. Medical College, Kota on or after June, 2012)
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(g) against "Agra University/Dr. Bhim Rao Ambedkar University, Agra, Uttar Pradesh" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration'

[hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Doctor of Medicine (Tuberculosis & Chest/Respiratory Disease)"	MD (TB & Chest/Respiratory Disease) (This shall be a recognised medical qualification when granted by Agra University/Dr. Bhim Rao Ambedkar University, Agra Uttar Pradesh in respect of students being trained at S.N. Medical College, Agra on or after 1991.)
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(h) against "Bundelkhand University Jhansi, Uttar Pradesh" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Master of Surgery (Oto-Rhino-Laryngology)"	MS (ENT) (This shall be a recognised medical qualification when granted by Bundelkhand University Jhansi, Uttar Pradesh in respect of students being trained at Maharani Laxmibai Bai Medical College, Jhansi, Uttar Pradesh on or after 1993.)
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"Diploma in Laryngology and Otology"	DLO (This shall be a recognised medical qualification when granted by Budelkhand University, Jhansi, Uttar Pradesh in respect of students being trained at Maharani Laxmibai Bai Medical College, Jhansi, Uttar Praeash on or after 1992.)
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(i) against "Swami Vivekanand Subharti University, Uttar Pradesh" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Doctor of Medicine (Biochemistry)"	MD (Biochemistry) (This shall be a recognised medical qualification when granted by Swami
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	Vivekanand Subharti University, Meerut, Uttar Pradesh in respect of student being trained at Subharti Medical College, Meerut, Uttar Pradesh on or after June, 2012)		R.G. Kar Medical College, Kolkata on or after May, 2011.)
"Doctor of Medicine (Physiology)"	MD (Physiology) (This shall be a recognised medical qualification when granted by Swami Vivekanand Subharti University, Meerut, Uttar Pradesh in respect of students being trained at Subharti Medical College, Meerut, Uttar Pradesh on or after May, 2012.)	"Doctor of Medicine (Forensic Medicine)"	MD (Forensic Medicine) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at R.G. Kar Medical College, Kolkata on or after May, 2012.)
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognised medical qualification when granted by Swami Vivekanand Subharti University, Meerut, Uttar Pradesh in respect of students being trained at Subharti Medical College, Meerut, Uttar Pradesh on or after June, 2012.)	"Master of Surgery (General Surgery)"	MS (General Surgery) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Burdwan Medical College, Burdwan on or after June, 2012.)
		"Master of Surgery (Oto-Rhino-Laryngology)"	MS (ENT) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at Burdwan Medical College, Burdwan on or after April, 2011.)
(j) against "West Bengal University of Health Sciences, Kolkata" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—			
"Doctor of Medicine (Physiology)"	MD (Physiology) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at R.G. Kar Medical College, Kolkata on or after May, 2012.)		
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognised medical qualification when granted by West Bengal University of Health Sciences, Kolkata in respect of students being trained at		

Note to all: 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.

2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U. 12012/69/2012-ME(P.II)]

ANITA TRIPATHI, Under Secy.

[आयुर्वेद, योग व प्राकृतिक चिकित्सा, यूनानी, सिद्ध एवं होम्योपैथी (आयुष) विभाग]

नई दिल्ली, 11 नवम्बर, 2013

का०आ० 2427.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथा संशोधित 1987) के नियम 10 के उप-नियम (4) के अनुसरण में, स्वास्थ्य एवं परिवार कल्याण मंत्रालय के आयुर्वेद, योग व प्राकृतिक चिकित्सा, यूनानी, सिद्ध एवं होम्योपैथी (आयुष) विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित

कार्यालय, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:—

2. “राष्ट्रीय पंचकर्म अनुसंधान संस्थान चेरुथुरुथी”

[सं ई-11018/1/2013-आयुष (रा. भा.)]

एस० श्रीनिवास, उप-सचिव

[Department of Ayurveda, Yoga & Naturopathy, Unani, Sidha and Homeopathy (AYUSH)]

New Delhi, the 11th November, 2013

S.O. 2427.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for official purpose of the Union) Rules, 1976 (as amended in 1987), the Central Government hereby notifies the following office under the administrative control of the Department of AYUSH, Ministry of Health & Family Welfare, where more than 80% staff have acquired the working knowledge of Hindi:

2. "National Research Institute for Panchkarma, Cheruthuruthy".

[No. E-11018/1/2013-AYUSH(O.L.)]

S. SRINIVAS, Secy.

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय

नई दिल्ली, 7 नवम्बर, 2013

का०आ० 2428.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के नियंत्रणाधीन राष्ट्रीय लघु उद्योग निगम लिमिटेड (मुख्यालय), नई दिल्ली के निम्नलिखित कार्यालयों जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:

1. शाखा कार्यालय, राष्ट्रीय लघु उद्योग निगम, लिमिटेड, प्लॉट सं-49, पहली मंजिल, मेन रोड, गुरु नानक कॉलोनी, विजयवाड़ा-520008 (आन्ध्र प्रदेश)।
2. शाखा कार्यालय, राष्ट्रीय लघु उद्योग निगम, लिमिटेड, सी-424, पीनिया पहली स्टेज, पीनिया पुलिस स्टेशन के पीछे, बेंगलुरु-560058 (कर्नाटक)।
3. शाखा कार्यालय, राष्ट्रीय लघु उद्योग निगम, लिमिटेड, न्यू नं० 422 (ओल्ड नं० 615), अन्ना सलाई, चैन्नई- 600006 (तमिलनाडु)।
4. शाखा कार्यालय, राष्ट्रीय लघु उद्योग निगम, लिमिटेड, 16 - डी पहली मंजिल महालक्ष्मी मेट्रो टावर, सी - 1, सी - 2 सेक्टर - 4, वैशाली गाजियाबाद - 201010 (उत्तर प्रदेश)।

[सं ई-12016/01/2005-हिन्दी]

एस० एन० त्रिपाठी, संयुक्त सचिव

MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES

New Delhi, the 7th November, 2013

S.O. 2428.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of National Small Industries Corporation Ltd. (Headquarters) New Delhi under control of the Ministry of Micro, Small & Medium Enterprises, whose more than 80% staff has acquired working knowledge in Hindi:

1. Branch Office, National Small Industries Corporation Ltd., Plot No. -49, 1st Floor, Main Road, Guru Nanak Colony,, Vijayawada - 520 008 (Andhra Pradesh).
2. Branch Office, National Small Industries Corporation Ltd., C-424, Peenya 1st Stage. Behind Peenya Police Station, Bangalore-560058, (Karnataka).
3. Branch Office, National Small Industries Corporation Ltd., New No. 422 (Old No. 615), Anna Salai, Chennai - 600006, (Tamil Nadu).
4. Branch Office, National Small Industries Corporation Ltd., 16-D, 1st Floor, Maha Laxmi Metro Tower, C-1, C-2, Sector-4] Vaishali, Ghaziabad-201010 (Uttar Pradesh).

[No. E-12016/01/2005-Hindi]

S.N. TRIPATHI, Jt. Secy.

संचार एवं सूचना प्रौद्योगिकी मंत्रालय

(डाक विभाग)

नई दिल्ली, 31 अक्टूबर, 2013

का०आ० 2429.—राजभाषा नियम (संघ के शासकीय प्रयोजनों के लिए प्रयोग), 1976 के नियम 10 के उप नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के अधीनस्थ कार्यालय मुख्य पोस्टमास्टर जनरल असम सर्किल, गुवाहाटी-781001 को, जिसके 80 प्रतिशत से अधिक अधिकारियों एवं कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:—

[सं 11017-1/2011-रा. भा.]

टी० एस० सिन्हा, उप महानिदेशक (फिलैटली/राजभाषा)

MINISTRY OF COMMUNICATION AND IT (Department of Posts)

New Delhi, the, 31st October, 2013

S.O. 2429.—In pursuance of Rule 10 (4) of the Official Language (use for official purposes of the Union)

Rule 1976, the Central Government hereby notifies the Office of Chief Postmaster General, Assam Circle Guwahati-781001 of the Department of Posts where 80% Officers/Officials has acquired the working knowledge of Hindi:—

[No. 11017-1/2011-O.L.]

T. S. SINHA, Director General (Philately/O.L.)

मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग)

(राजभाषा यूनिट)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2430.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम 4 के अनुसरण में, मानव संसाधन विकास मंत्रालय (स्कूल शिक्षा एवं साक्षरता विभाग) के अंतर्गत जवाहर नवोदय विद्यालय, मानपुर, जिला इंदौर, मध्यप्रदेश को, ऐसे कार्यालय के रूप में, जिसके 80 प्रतिशत से अधिक कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं० 11011-1/2013-रा०भा०ए०]

अनन्त कुमार सिंह, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT (Department of Higher Education) (O.L. UNIT)

New Delhi, the 15th October, 2013

S.O. 2430.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies Jawahar Navodaya Vidyalaya, Manpur, Distt. Indore, Madhya Pradesh under the Ministry of Human Resource Development, (Department of School Education & Literacy) as office, whose more than 80% members of the staff have acquired working knowledge of Hindi.

[No. 11011-1/2013-O.L.U.]

ANANT KUMAR SINGH, Jt. Secy.

विद्युत मंत्रालय

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2431.—17.08.2006 को अधिसूचित मुख्य वैद्युत निरीक्षक और वैद्युत निरीक्षक की अर्हता, शक्ति और कार्य नियमावली, 2006 के साथ पठित विद्युत अधिनियम, 2003 (2003 का 36) की धारा 162 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा केंद्रीय विद्युत प्राधिकरण (सीईए) के निम्नलिखित अधिकारियों को इस अधिसूचना की तारीख से सीईए में उनके कार्यकाल तक, उपर्युक्त नियम में उल्लिखित अर्हता और शर्त को पूरा करने के अधीन उनके संबंधित आरआईओ के लिए वैद्युत निरीक्षक के रूप में नियुक्त करती है:-

क्रम सं०	नाम(श्री)	पदनाम	तैनाती स्थल	अर्हता	के रूप में नियुक्त
1.	सी०शनमुधम*	अधीक्षण अभियंता	आरआईओ(दक्षिण)	बी०ई०(वैद्युत)	वैद्युत निरीक्षक
2.	ओ०पी० सिंह**	अधीक्षण अभियंता	आरआईओ(पश्चिम)	बी०ई०(वैद्युत)	वैद्युत निरीक्षक
3.	उपेन्द्र कुमार***	अधीक्षण अभियंता	आरआईओ(उत्तर)	बी०ई०(वैद्युत)	वैद्युत निरीक्षक
4.	राम चंद्र	निदेशक	ईआई प्रभाग	बी०ई०(वैद्युत)	वैद्युत निरीक्षक
5.	आर०के० पाहवा\$	निदेशक	ईआई प्रभाग	बी०ई०(वैद्युत)	वैद्युत निरीक्षक
6.	आई०के० मेहरा	उपनिदेशक	ईआई प्रभाग	बी०ई०(वैद्युत)	वैद्युत निरीक्षक

*श्री असित सिंह, अधीक्षण अभियंता, आरआईओ (दक्षिण), सीईए के स्थान पर

**श्री एस०जी० टेनपे, अधीक्षण अभियंता, आरआईओ (पश्चिम), सीईए के स्थान पर

***श्री एम०एस० सतीजा, अधीक्षण अभियंता, आरआईओ (उत्तर), सीईए के स्थान पर

\$ श्री भीम राय, मुख्य अभियंता, ईआई प्रभाग, सीईए के स्थान पर

उपर्युक्त उल्लिखित अधिकारी केन्द्रीय विद्युत प्राधिकरण (सुरक्षा और विद्युत आपूर्ति से संबंधित उपाय) विनियम, 2010 में दी गई प्रक्रिया के अनुसार, सीईए के अधिकार वाले क्षेत्रों में प्रचालनाधीन वैद्युत कार्य, क्षेत्र में दिए गए कार्यों के संबंध में वैद्युत निरीक्षक नहीं होंगे।

वैद्युत संस्थापनाओं तथा वैद्युत रोलिंग स्टॉक के संबंध में अधिकारों का प्रयोग करेंगे और अपना कार्य निष्पादित करेंगे।

सीईए यह सुनिश्चित करेगा कि उच्च अधिकारी, उनके संबंधित क्षेत्र में दिए गए कार्यों के संबंध में वैद्युत निरीक्षक नहीं होंगे।

वैद्युत निरीक्षक के रूप में नियुक्त अधिकारी वह प्रशिक्षण लेंगे जिसे केन्द्र सरकार इस उद्देश्य के लिए आवश्यक समझे तथा ऐसा प्रशिक्षण सरकार की संतुष्टि के स्तर तक पूरा किया जाएगा।

[फा०सं 42/3/2013-आर एण्ड आर]

ज्योति अरोड़ा, संयुक्त सचिव

MINISTRY OF POWER

New Delhi, the 24th October, 2013

S.O. 2431.—In exercise of the powers conferred by sub-section(1) of section 162 of the Electricity Act, 2003

(36 of 2003) read with Qualification, Power and Function of Chief Electrical Inspector and Electrical Inspectors Rules, 2006 notified on 17.8.2006, the Central Government hereby appoints the following officers, of Central Electricity Authority as Electrical Inspector for CEA, in their respective RIOs, from the date of this Notification till their tenure in CEA, subject to fulfillment of the qualification and Condition mentioned in the above Rule:

S. No.	Name (Shri)	Designation	Place of Posting	Qualification	Appointed As
1	2	3	4	5	6
1.	C. Shanmugham*	Supt. Engineer	RIO(South)	B.E.(Elect)	Electrical Inspector
2.	O.P. Singh**	Supt. Engineer	RIO(West)	B.E.(Elect)	Electrical Inspector
3.	Upendra Kumar***	Supt. Engineer	RIO(North)	B.E.(Elect)	Electrical Inspector
4.	Ram Chandra	Director	EI Division	B.E.(Elect)	Electrical Inspector
5.	R.K. Pahwa\$	Director	EI Division	B.E.(Elect)	Electrical Inspector
6.	I.K. Mehra	DD	EI Division	B.E.(Elect)	Electrical Inspector

*In place of Shri Asit Singh Supt. Engineer, RIO(South), CEA

**In place of Shri S.G. Tenpe, Superintending Engineer RIO(West), CEA

***In place of Shri M.S. Satija, Supt. Engineer RIO(North), CEA

\$In place of Shri Bhim Rai, Chief Engineer, EI Division, CEA

The above mentioned officer shall exercise the powers and perform his functions in respect of electrical works, electrical installations and electrical rolling stock in operation within the jurisdiction of CEA, as per the procedure provided in Central Electricity Authority (Measures relating to Safety and Electricity Supply) Regulation, 2010.

CEA will ensure that above said officers will not be the Electrical Inspectors in respect of the work assigned to them in their respective area.

The officers appointed as Electrical Inspector shall undergo such training as the Central Government may consider necessary for the purpose and such training shall be completed to the satisfaction of the Government.

[F.No. 42/3/2013-R&R]

JYOTI ARORA, Jt. Secy.

नई दिल्ली, 5 नवंबर, 2013

का०आ० 2432.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4)

के अनुसरण में विद्युत मंत्रालय के प्रशासनिक नियंत्रणाधीन केन्द्रीय विद्युत विनियामक आयोग, तीसरा और चौथा तल, चन्द्रलोक बिल्डिंग, 36 जनपथ, नई दिल्ली-110001 को, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

[सं 11017/10/2013-हिंदी]

रीता आचार्य, संयुक्त सचिव

New Delhi, the 5th November, 2013

S.O. 2432.—In pursuance of Sub Rule (4) of Rule 10 of the Official Language (Use for official purposes of the union) Rules, 1976, the Central Government hereby notify Central Electricity Regulatory Commission, 3rd & 4th Floor, Chandralok Building, Janpath, New Delhi-110001 under the administrative control of Ministry of Power, the 80% staff whereof have acquired working knowledge of Hindi.

[No. 11017/10/2013-Hindi]

RITA ACHARYA, Jt. Secy.

नई दिल्ली, 18 नवंबर, 2013

का०आ० 2433.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में विद्युत मंत्रालय के प्रशासनिक नियंत्रणाधीन एनएचपीसी लिमिटेड के परियोजना अन्वेषण प्रभाग, फील्ड यूनिट, पठानकोट कार्यालय को, जिसके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

[सं० 11017/10/2013-हिंदी]

रीता आचार्य, संयुक्त सचिव

New Delhi, the 18th November, 2013

S.O. 2433.—In pursuance of Sub Rule (4) of Rule 10 of the Official Language (Use for official purposes of the union) Rules, 1976, the Central Government hereby notify PID, FIELD, PATHANKOT of NHPC Ltd. under the administrative control of Ministry of Power, the 80% staff whereof have acquired working knowledge of Hindi.

[No. 11017/10/2013-Hindi]

RITA ACHARYA, Jt. Secy.

संस्कृति मंत्रालय

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2434.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में संस्कृति मंत्रालय के अन्तर्गत आने वाले कार्यालय इंदिरा गांधी राष्ट्रीय कला केन्द्र, नई दिल्ली को जिसमें 80 प्रतिशत कर्मचारियों ने हिंदी कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

यह अधिसूचना राजपत्र में प्रकाशित की तारीख से प्रवृत्त होगी।

[सं० 13016/1/2011-हिंदी]

वी० श्रीनिवास, संयुक्त सचिव

MINISTRY OF CULTURE

New Delhi, the 15th October, 2013

S.O. 2434.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for official purpose of the Union) Rules, 1976 the Central Government hereby notifies the office Indira Gandhi National Centre for the Arts, New Delhi under the Ministry of Culture wherein more than 80% staff have acquired working knowledge of Hindi.

This notification shall come into force from the date of publication in the Official Gazette.

[F. No. 13016/1/2011-Hindi]

V. SRINIVAS, Jt. Secy.

वाणिज्य एवं उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 31 अक्टूबर, 2013

का०आ० 2435.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में वाणिज्य विभाग के अधीन एम्पीडा के निम्नलिखित उपक्षेत्रीय कार्यालयों को अधिसूचित करती है, जिसके 80 प्रतिशत से अधिक कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है:-

1. समुद्री उत्पाद निर्यात विकास प्राधिकरण, उप क्षेत्रीय केन्द्र (अक्वा), नोबल आर्केड, पहला तल, बिल्डिंग सं० एस-बी, 764 जेड 2, कय्यात दामोदरन रोड, उप रजिस्ट्रार कार्यालय के सामने, कन्नूर - 670 002, केरल

2. समुद्री उत्पाद निर्यात विकास प्राधिकरण, उप क्षेत्रीय कार्यालय 106-जे, दूसरा मार्ग, मिल्लेरपुरम, तूतिकोरिन - 628 008, तमिलनाडु

[सं० ई-11013/1/2008-हिंदी]

श्रीमती देवकी, निदेशक (राजभाषा)

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 31st October, 2013

S.O. 2435.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for official purposes of the union) Rules, 1976, the Central Govt. hereby notifies the following regional offices of MPEDA under Department of Commerce, whereof more than 80% staff has acquired a working knowledge of Hindi:—

1. The Marine products Export Development Authority, Sub Regional Centre (Aqua), Noble Arcade, Ist floor, Building No. SB-764-Z2, Kayyath Damodaran Road, Opp. Sub- Registrar office, Kannur-670 002, Kerala.

2. The Marine Products Export Development Authority, Sub Regional Office, 106-J, 2nd Street, Millerpuram Tuticorin-628 008, Tamil Nadu.

[No. E-11013/1/2008-Hindi]

(Smt. DEVKI, Director (O.L.))

उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

(भारतीय मानक ब्यूरो)

नई दिल्ली, 5 अगस्त, 2013

का०आ० 2436.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपविनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं, को लाइसेंस प्रदान किए गए हैं:-

अनुसूची

क्रम सं०	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनु	वर्ष
01.	3955278	12 जून, 2013	मैसर्स आहिर प्लायवुड प्राईवेट लिमिटेड सर्वे नम्बर, 27, किरन पेट्रोल पम्प के पीछे, गांव वरसाणा, तालुका अंजार, जिला कच्छ, गुजरात-370110	सामान्य प्रयोजनों के लिए प्लाईवुड	303	0	0	1989
02.	3958587	20 जून, 2013	मैसर्स अश्विन एण्ड कंपनी प्लॉट नं 18-21, शिव इन्डस्ट्रीयल इस्टेट, शेड नं 1, फाल्कन पम्पस के सामने, वावडी, जिला राजकोट, गुजरात-360004	1100 वोल्ट तक की कार्यकारी वोल्टता के लिए पीवीसी रोधित केबल	694	0	0	1990
03.	3955076	11 जून 2013	मैसर्स के के ज्वैलर्स शोप नं 1/2, ओम शक्ति चौक, बापा सीताराम चौक, रावपर रोड मोरवी, जिला, राजकोट, गुजरात-363641	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
04.	3957383	17 जून 2013	मैसर्स सोनी द्वारकाधीश वीरचंद एण्ड सन्स नानावेट बाजार, एम जी रोड, जिला भावनगर, गुजरात-364001	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
05.	3961677	29 जून, 2013	मैसर्स भगवानजी मोरारजी जवेरी जोधा मानेक रोड, सोनी वाडी के सामने, द्वारका, जिला जामनगर, गुजरात	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
06.	3957484	17 जून 2013	मैसर्स मुरलीधर ज्वेलर्स गांधी चौक, धोल, जिला, जामनगर, गुजरात-361120	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
07.	3961778	28 जून, 2013	मैसर्स कालिन्डी ज्वेलर्स 331, सराफ बाजार, जेतपुर, जिला राजकोट, गुजरात	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
08.	3961879	28 जून, 2013	मैसर्स अमृतलाल लख्मण एण्ड सन्स राजडा रोड, तेजल कोम्प्लेक्स, खंभाडीया, जिला जामनगर, गुजरात	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
09.	3961980	28 जून, 2013	मैसर्स नारायण ज्वेलर्स शोप नं 2, प्लॉट नं 256, बोर्ड नं 12/बी, गांधीधाम, जिला कच्छ, गुजरात	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
10.	3962073	28 जून, 2013	मैसर्स जगदीशभाई पाला एंड सन्स पेलेस रोड, राजमंदीर कोल्ड्रीक्स के पास, राजकोट, गुजरात-360001	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999
11.	3955379	12 जून, 2013	मैसर्स आहिर प्लायवुड प्राईवेट लिमिटेड, 108, अनम कोमर्शियल कोम्प्लेक्स, प्लॉट नं 37, सेक्टर नं 9, गांधीधाम, जिला कच्छ, गुजरात 370201	ब्लॉक बोर्ड	1659	0	0	2004
12.	3953274	07 जून, 2013	मैसर्स एस.एस. इन्डस्ट्रीज सर्वे नं 23/1, 23/2, सिहोर घांघली रोड, गांव वडीया, तालुका सिहोर, जिला भावनगर, गुजरात-364240	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विकसित इस्पात छड़ और तार	1786	0	0	2008

क्रम सं०	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनु	वर्ष
13.	3959589	24 जून, 2013	मैसर्स आध्याशक्ति स्टील्स, सर्वे नं 98/2 घांघली रोड, तालुका सिहोर, जिला भावनगर, गुजरात-364240	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विकसित इस्पात छड़ और तार	1786	0	0	2008
14.	3958890	20 जून, 2013	मैसर्स श्री साईनाथ डेकोर अल अल पी सर्वे नंबर 52, प्लॉट नंबर 19, श्याम जीनींग के सामने, हडमताला, तालुका कोटडा सांगानी, जिला, राजकोट, गुजरात-360311	सजावटी ताप स्थिरण संश्लिष्ट रेजिनबद्ध परतदार चद्दर	2046	0	0	1995
15.	3952676	05 जून, 2013	मैसर्स अग्रवाल इन्डस्ट्रीज प्लॉट नम्बर 100/3-4, जी.आई.डी.सी. फेज 2, सिहोर, जिला भावनगर, गुजरात-364240	सामान्य संरचना कार्यों के लिए इस्पात	2062	0	0	2006
16.	3955177	12 जून 2013	मैसर्स आहिर प्लायवुड प्राईवेट लिमिटेड सर्वे नम्बर 27, किरन पेट्रोल पम्प के पीछे, गांव वरसाणा, तालुका अंजार, जिला, कच्छ गुजरात-370110	लकड़ी के सपाट दरवाजे के शटर (ठोस कोर टाइप) भाग 1 प्लाईवुड के सतह युक्त पल्ले	2202	1	0	1999
17.	3954276	11 जून, 2013	मैसर्स गेलेक्सी किचन एप्लायन्स प्लॉट नं 1049, आजी वसाहत, अजय वे ब्रीज के पास, 80 फीट रोड, राजकोट, गुजरात-360003	घरेलु प्रेशर कुकर - विशिष्ट	2347	0	0	2006
18.	3952777	05 जून, 2013	मैसर्स सेतु पोलिमर्स दिनदयाल इन्डस्ट्रीयल एस्टेट, प्लॉट नं 108, रिंग रोड, गामरा पम्प के सामने, राजकोट, गुजरात-360003	पानी की आपूर्ति के लिए उच्च घनत्व वाले पॉलिएथिलीन पाइप - विशिष्ट	4984	0	0	1995
19.	3960978	27 जून, 2013	मैसर्स जे.के. पोलिमर्स प्लॉट नं जी-1433, तिरुपती मील के पास, जीआईडीसी मेटोडा, कालावाड रोड, तालुका लोधीका, जिला राजकोट, गुजरात-360021	पानी की आपूर्ति के लिए उच्च घनत्व वाले पॉलिएथिलीन पाइप - विशिष्ट	4984	0	0	1995
20.	3953981	11 जून, 2013	मैसर्स आइडोल प्लास्टो प्राईवेट लिमिटेड राजकोट - अहमदाबाद राजमार्ग, आर.एस. नं 5521/1, ओल्ड गुंदा रोड, कुवाडवा हाईस्कूल के सामने, कुवाडवा, जिला राजकोट, गुजरात-360023	पेय जल की पूर्ति के लिए असुघटियत पी.वी.सी. पाइप - विशिष्ट	4985	0	0	2000
21.	3952373	03 जून, 2013	मैसर्स सिफोन पम्पस प्राईवेट लिमिटेड प्लॉट नं 6, किशन वे ब्रीज स्ट्रीट, सरदार पटेल एस्टेट, डेबर रोड (साउथ), राजकोट, गुजरात-360002	निमज्जनीय पम्प सेट	8034	0	0	2002
22.	3962174	28 जून, 2013	मैसर्स हाइफुनी पम्पस प्राईवेट लिमिटेड प्लॉट नं 9, सर्वे नं 168, पटेल इन्डस्ट्रीयल एरिया, कोठारीया, जिला राजकोट, गुजरात-360002	निमज्जनीय पम्प सेट	8034	0	0	2002
23.	3954680	10 जून, 2013	मैसर्स युग पंप इन्डस्ट्रीज आशिष एन्जीनियरिंग वर्क्स के पीछे, मारुती इन्डस्ट्रीयल एरिया, प्लॉट नं 77बी, चारभुजा मार्बल स्ट्रीट गॉडल रोड के पीछे, ओक्टोय नाका, राजकोट, गुजरात-360003	निमज्जनीय पम्प सेट	8034	0	0	2002
24.	3954882	10 जून, 2013	मैसर्स अग्रीमा पम्पस 2, रनुजा नगर, विराणी अघात के पास, अहमदाबाद बाय पास रोड, राजकोट, गुजरात-360002	निमज्जनीय पम्प सेट	8034	0	0	2002

क्रम सं०	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनु	वर्ष
25.	3955884	12 जून, 2013	मैसर्स बंसी गोल्ड सबमर्सीबल रानी इन्डस्ट्रीयल एरिया, श्री राम एस्टेट, प्लॉट नं 18, सर्वे नं 17, शेड नं 6, परीन फर्नीचर के पीछे, गोंडल रोड, वावडी, जिला राजकोट, गुजरात-360003	निमज्जनीय पम्प सेट	8034	0	0	2002
26.	3956078	13 जून, 2013	मैसर्स अेकॉटिक इन्जीनियरिंग प्लॉट नंबर 1, 2, शेड नंबर 6, राम वे ब्रीज के सामने, मालधारी होटल के पीछे, नेशनल हाइवे गोंडल रोड, किष्ना पार्क के सामने, रोलेक्स इन्डस्ट्रीज के पास, कोटारिया, जिला राजकोट, गुजरात-360002	निमज्जनीय पम्प सेट	8034	0	0	2002
27.	3957181	17 जून, 2013	मैसर्स सिफोन पम्पस प्राइवेट लिमिटेड प्लॉट नम्बर 6, किशान वे ब्रीज स्ट्रीट, सरदार पटेल स्टेट, डेबर रोड (साउथ), राजकोट, गुजरात-360002	पम्प - पुनर्योजी स्वच्छ ठंडे पानी के लिए - विशिष्ट	8472	0	0	1998
28.	3953173	03 जून, 2013	मैसर्स सुप्रिम इन्टरप्राइज प्लॉट नं 30, जीआईडीसी-2, जामवाडी, गोंडल, जिला राजकोट, गुजरात-360311	निमज्जन मोटरों के वाइंडिंग तार-विशिष्ट	8783	4	3	1995
29.	3959488	24 जून, 2013	मैसर्स रोयल प्लास्टिक इन्डस्ट्रीज पी.बी. 70, जूनागढ़ रोड, धोराजी, जिला राजकोट, गुजरात-360410	विद्युत संस्थापनों के लिए कंड्यूट्स भाग : 3, विद्युत रोधन सामग्री के दृढ़ सादे कंड्यूट	9537	3	0	1983
30.	3952474	03 जून, 2013	मैसर्स सिफोन पम्पस प्राइवेट लिमिटेड प्लॉट नं 6, किशन वे ब्रीज स्ट्रीट, सरदार पटेल एस्टेट, डेबर रोड (साउथ), राजकोट, गुजरात-360002	खुले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
31.	3954781	10 जून, 2013	मैसर्स युग पम्पस इन्डस्ट्रीज आशिष इन्जीनियरिंग वर्क्स के पीछे, मारुती इन्डस्ट्रीयल एरिया, प्लॉट नं 77 बी, चारभुजा मॉबल स्ट्रीट, गोंडल रोड के पीछे, ओक्टोयनाका, राजकोट, गुजरात-360004	खुले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
32.	3955783	12 जून, 2013	मैसर्स बंसी गोल्ड सबमर्सीबल रानी इन्डस्ट्रीयल एरिया श्री राम एस्टेट, प्लॉट नं 18, सर्वे नं 17, शेड नं 6, परीन फर्निचर के पीछे, गोंडल रोड, वावडी, जिला राजकोट, गुजरात-360003	खुले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
33.	3956179	13 जून, 2013	मैसर्स अंलकित मेन्युफेक्चरस “वासुकी एस्टेट”, श्री हरि इन्डस्ट्रीयल एरीया, स्ट्रीट नं. 5, आजी रिंग रोड, राजकोट, गुजरात-360004	खुले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
34.	3959791	25 जून, 2013	बालाजी मिनरल्स, कैलाश नगर, जेकेवी होल के पास, कालावड, जिला जामनगर, गुजरात-361160	पैकेजबंद पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)	14543	0	0	2004

[सं० केन्द्रीय प्रमाणन विभाग/13:11]
एम० राधाकृष्णा, वैज्ञानिक ‘एफ’ एवं प्रमुख

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)****(BUREAU OF INDIAN STANDARDS)**

New Delhi, the 5th August, 2013

S.O. 2436.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certificate) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and address of the party	Title of the Standard	IS No.	Part.	Sec.	Year
1	2	3	4	5	6	7	8	9
1.	3955278	12/06/2013	M/s. Ahir Plywood Pvt. Ltd. Survey No. 27, Behind Kiran Petrol Pump, Village Varsana, Taluka Anjar, District: Kachchh, Gujarat	Specification for plywood for general purposes	303	0	0	1989
2.	3958587	20/06/2013	M/s. Ashvin & Company Plot No. 18-21, Shiv Industrial Estate, Shed No. 1, Opp. Falcon Pumps, Vavdi, Rajkot, Gujarat-360004	PVC Insulated cables for working voltages upto and including 1100 V	694	0	0	1990
3.	3955076	11/06/2013	M/s. K.K. Jewellers Shop No. 1/2, Om Shanti Complex, Bapa Sitaram Chowk, Ravapar Road, Morbi, District: Rajkot, Gujarat-363641	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
4.	3957383	17/06/2013	M/s. Soni Dwarkadas Virchand & Sons Nanavait Bazar, M.G. Road, District: Bhavnagar, Gujarat-364001	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
5.	3961677	28/06/2013	M/s. Bhagwanji Morarji Zaveri Jodha Manek Road, Opp. Soni Wadi, Dwaraka District: Jamnagar, Gujarat-361335	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
6.	3957484	17/06/2013	M/s. Murlidhar Jewellers Gandhi Chowk, Dhrol, District: Jamnagar, Gujarat-361120	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
7.	3961778	28/06/2013	M/s. Kalindi Jewellers 331, Saraf Bazar, Jetpur, District: Rajkot Gujarat-360370	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
8.	3961879	28/06/2013	M/s. Amrutlal Lakhman & Sons Rajda Road, Tejal Complex Khambhaliya, District: Jamnagar, Gujarat-361305	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
9.	3961980	28/06/2013	M/s. Narayan Jewellers Shop No. 2, Plot No. 256, Ward 12/B, Gandhidham, District: Kachchh, Gujarat-370201	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999

1	2	3	4	5	6	7	8	9
10.	3962073	28/06/2013	M/s. Jagdishbhai Pala & Sons Palace Road, Near Rajmandir Coldrinks, District: Rajkot Gujarat-360001	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
11.	3955379	12/06/2013	M/s. Ahir Plywood Pvt. Ltd. 108, Anam Commercial Complex, Plot No. 37, Sector No-9, Gandhidham, District: Kachchh, Gujarat-370201	Specification for block boards	1659	0	0	2004
12.	3953274	07/06/2013	M/s. S.S. Industries Survey No. 23/1, 23/2, Sihor Ghanghali Road, Vadia, Taluka Sihor, District: Bhavnagar, Gujarat-364240	Specification for high strength deformed steel bars and wires for concrete reinforcement	1786	0	0	2008
13.	3959589	24/06/2013	M/s. Adhyashakti Steels Survey No. 98/2, Ghanghali Road, Taluka Sihor, District: Bhavnagar, Gujarat-364240	Specification for high strength deformed steel bars and wires for concrete reinforcement	1786	0	0	2008
14.	3958890	20/06/2013	M/s. Shri Sainath Decor LLP. Survey No. 52, Plot No. 19, Opposite Shyam Gining, At Hadamatala, Taluka Kotda Sangani, District: Rajkot, Gujarat-360311	Decorative Thermosetting Synthetic Resin Bonded Laminated Sheets-Specification	2046	0	0	1995
15.	3952676	05/06/2013	M/s. Agarwal Industries Plot No. 100/3-4, GIDC Phae II, Sihor, District: Bhavnagar, Gujarat-364240	Steel for General Structural Purposes-Specification	2062	0	0	2006
16.	3955177	12/06/2013	M/s. Ahir Plywood Pvt. Ltd. Survey No. 27, Behind Kiran Petrol Pump, Village Varsana, Taluka Anjar, Distt: Kachchh, Gujarat	Specification for wooden flush door shutters (solid core type): Part 1 Plywood face panels	2202	1	0	1999
17.	3954276	11/06/2013	M/s. Galaxy Kitchen Appliances Plot No. 1049, Aji Vasahat, Near Ajay Weigh-Bridge, 80 feet Road, District: Rajkot Gujarat-360003	Domestic Pressure Cookers-Specification	2347	0	0	2006
18.	3952777	05/06/2013	M/s. Setu Polymers Dindayal Industrial Estate, Plot No. 108, Ring Road, Opp. Gamara Pump, District: Rajkot, Gujarat-360003	Specification for high density polyethylene pipes for water supplies	4984	0	0	1995
19.	3960978	27/06/2013	M/s. J.K. Polymers Plot No. G-1433, Near Tirupati Mill, GIDC-Metoda, Taluka Lodhika, Kalawad Road, GIDC-Metoda, District: Rajkot, Gujarat-360021	Specification for high density polyethylene pipes for water supplies	4984	0	0	1995
20.	3953981	11/06/2013	M/s. Idol Plasto Pvt. Ltd. Rajkot-Ahmedabad Highway, R.S. No. 552/1, Old Gunda Road, Opposite Kuvadva High-School Kuvadva, District: Rajkot, Gujarat-360023	Unplasticized PVC Pipes for Potable Water Supplies-Specification	4985	0	0	2000
21.	3952373	03/06/2013	M/s. Siphon Pumps Pvt. Ltd. Plot No. 6, Kishan Way Bridge Street, Sardar Patel Estate, Dhebar Road (South), Near Atika Railway Crossing, Rajkot, Gujarat-360002	Submersible Pumpsets- Specification	8034	0	0	2002

1	2	3	4	5	6	7	8	9
22.	3962174	28/06/2013	M/s. Hifuni Pumps Pvt. Ltd. Plot No. 9, Survey No. 168, Patel Industrial Area, Kothariya, District: Rajkot Gujarat-360002	Submersible Pumpsets- Specification	8034	0	0	2002
23.	3954680	10/06/2013	M/s. Yug Pumps Ind. B/H Ashish Eng. Works, Maruti Ind. Area, Plot No.77B, Charbhujia Marble Street, B/H Gondal Road, Octroi Naka, Rajkot, Gujarat-360004	Submersible Pumpsets- Specification	8034	0	0	2002
24.	3954882	10/06/2013	M/s. Agrima Pumps 2, Ranuja Nagar, Near Virani Aghat, Ahemadabad By-Pass Road, Rajkot, Gujarat-360002	Submersible Pumpsets- Specification	8034			2002
25.	3955884	12/06/2013	M/s. Bansi Gold Submersible Rani Industrial Area, Shri Ram Estate, Plot No. 18, Survey No. 17, Shed No. 6, B/H Parin Furniture, Gondal Road, Vavdi, Rajkot, Gujarat-360003	Submersible Pumpsets- Specification	8034			2002
26.	3956078	13/06/2013	M/s. ACCO-Tech Engineering Plot No. 1, 2, Shed No. 6, Opp. Ram-way Bridge, B/H Maldhari Hotel, National Highway Gondal Road, Opp. Krishna Park, Near Rolex Ind., Kothariya, Rajkot, Gujarat-360002	Submersible Pumpsets- Specification	8034			2002
27.	3957181	17/06/2013	M/s. Siphon Pumps Pvt. Ltd. Plot No. 6, Kishan Way Bridge Street, Sardar Patel Estate, Dhebar Road (South), Rajkot, Gujarat-360002	Centrifugal-Regenerative Pumps for clear, cold water-Specification	8472	0	0	1998
28.	3953173	03/06/2013	M/s. Suprime Enterprise Plot No. 30, GIDC-2, Jamwadi, Gondal, District: Rajkot Gujarat-360311	Winding Wires for Submersible Motors- Specification-Part 4: Specification for Individual Wires-Section 3: Polyester and Polypro- pylene Insulated Wire	8783	4	3	1995
29.	3959488	24/06/2013	M/s. Royal Plastic Industries P.B. 70, Junagadh Road Dhoraji, District: Rajkot, Gujarat-360410	Conduits for electrical installations: Part 3 Rigid plain conduits of insulating materials (superseding IS: 2509)	9537	3	0	1983
30.	3952474	03/06/2013	M/s. Siphon Pumps Pvt. Ltd. Plot No. 6, Kishan Way Bridge Street, Sardar Patel Estate, Dhebar Road (South), Rajkot, Gujarat-360002	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
31.	3954781	10/06/2013	M/s. Yug Pumps Ind. B/H Ashish Eng. Works, Maruti Ind. Area, Plot No.-77B, Charbhujia Marble Street, B/H Gondal Road, Octroi Naka, Rajkot, Gujarat-360004	Openwell Submersible Pumpsets-Specification	14220	0	0	1994

1	2	3	4	5	6	7	8	9
32.	3955783	12/06/2013	M/s. Bansil Gold Submersible Rani Industrial Area, Shri Ram Estate, Plot No. 18, Survey No. 17, Shed No. 6, B/H Parin Furniture, Gondal Road, Vavdi, District: Rajkot, Gujarat-360003	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
33.	3956179	13/06/2013	M/s. Alankit Manufacturers "Vasuki Estate" Shri Hari Industrial Area, Street No. 5, Aji Ring Road, Rajkot, Gujarat-360004	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
34.	3959791	25/06/2013	M/s. Balaji Minerals Kailash Nagar, Near J.K.V. Hall, Kalawad, District: Jamnagar, Gujarat-361160	Packaged Drinking Water (other than Packaged Natural Mineral Water)- Specification	14543	0	0	2004

[No. CMD/13:11]
M. RADHAKRISHNA, Scientist 'F' & Head

नई दिल्ली, 5 अगस्त, 2013

का०आ० 2437.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपविनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं को लाइसेंस रद्द किए गए हैं:

अनुसूची

क्र० सं०	लाइसेंस संख्या	लाइसेंस सधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्दीकरण तिथि
1.	7125358	अलमाईटी एग्रीगेट प्राइवेट लिमिटेड जी 1934-35, लोधीका जीआईडीसी, मेटोडा, तालुका लोधीका, जिला राजको, गुजरात 360021	पानी की आपूर्ति के लिए उच्च घनत्व वाले पॉलिएथिलीन पाइप-विशिष्ट	06 जून 2013
2.	7390276	मोटन इन्डस्ट्रीज, प्लॉट नं० 1109-10, जी आई डी सी 2, सबलपुर, जिला जुनागढ़ गुजरात-362001	साधारण पोर्टलैंड सिमेन्ट	25 जून 2013

[सं. केन्द्रीय प्रमाणन विभाग/13:11]
एम० राधाकृष्णा, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 5th August, 2013

S.O. 2437.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certificate) Regulations, 1988 of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below have cancelled/suspended with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licences No. CM/L-	Name & Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelled/suspension	Date of Cancellation
1	2	3	4	5
1.	7125358	M/s. KELVIN PLASTIC PRIVATE LIMITED Plot No. 7,8, & 9, Survey No. 160/2, Sidc Road, Veravl (Shapar),	Specification for high density polyethylene pipes for potable water supplies	06/06/2013

1	2	3	4	5
		Taluka Kotda Sangani, District: Rajkot Gujarat		
2.	7390276	M/s. MOTAN INDUSTRIES Plot No. 1109-10 GIDC II, Sabalpur, District: Junagadh Gujarat, 362001	Specification for 53 grade ordinary Portland cement	25/06/2013

[No.CMD/13:11]

M. RADHAKRISHNA, Scientist 'F' & Head

नई दिल्ली, 7 अगस्त, 2013

का०आ० 2438.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपविनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं को लाइसेंस प्रदान किए गए हैं:—

अनुसूची

क्र० सं०	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनु	वर्ष
1	2	3	4	5	6	7	8	9
01.	3966081	16 जुलाई 2013	मैसर्स पायलोन केबल 2 कांति नगर, विजय फुली के समाने, कोठारीया चौकडी के आगे, राष्ट्रीय राजमार्ग 8 बी, राजकोट, गुजरात-360003	1100 वोल्ट तक की कार्यकारी बोल्टता के लिए पी वी सी रोधित केबल	694	0	0	1990
02.	3963378	04 जुलाई 2013	मैसर्स सोहम इन्जीनियरिंग कोर्पोरेशन प्लॉट नं० 13/बी, अमृत उद्योग, डेव कल्याण आइस फेक्ट्री के सामने, कोथारीया, राजकोट, गुजरात-360004	मृदु इस्पात के पाइप, नलिकाकार संरचनाएं तथा पिटवां इस्पात की पाइप फिटिंग	1239	2	0	2011
03.	3965382	12 जुलाई 2013	मैसर्स सोनी अनिल मगनलाल कुं नानी पोसाड शेरी, सर्राफ बाजार, भुज, जिला कच्छ, गुजरात	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट	1417	0	0	1999
04.	3965584	12 जुलाई 2013	मैसर्स मालाबार गेल्ड प्राईवेट लिमिटेड शोप नं० 1 अ, ग्राउन्ड फ्लोर, कालावाड रोड, क्रिस्टल मोल, रानी टावर सामने, राजकोट, गुजरात-360007	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट	1417	0	0	1999
05.	3969289	23 जुलाई 2013	मैसर्स ओसिया ज्वेलर्स कानसारा बाजार चोक, सोनी बाजार, भुज, जिला कच्छ, गुजरात-370001	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट	1417	0	0	1999
06.	3965483	12 जुलाई 2013	मैसर्स मालाबार गेल्ड प्राईवेट लिमिटेड शोप नं० 1 अ, ग्राउन्ड फ्लोर, कालावाड रोड, क्रिस्टल मोल, रानी टावर सामने, राजकोट, गुजरात-360007	चांदी एवं चांदी मिश्रधातुएं, आभूषण शिल्पकारी - विशिष्ट	2112	0	0	2003

1	2	3	4	5	6	7	8	9
07.	3964178	08 जुलाई 2013	केपिटल स्टील इन्डस्ट्रीज सर्वे नं० 198/P, प्लॉट नं० 4 & 5, गांव घांघली, तालुका सिहोर, जिला भवनगर, गुजरात-364240	सामान्य संरचना इस्पात में पुनर्वैल्लन के लिए कार्बन ढलवा इस्पात बिलेट इंगट विलेट ब्लूम और स्लैब की विशिष्ट	2830	0	0	2012
08.	3967285	17 जुलाई 2013	मैसर्स एम० डी० इन्डक्टो कास्ट प्राइवेट लिमिटेड सर्वे नं० 144, पैकी 1 & 2, गांव नेसड़ा, तालुका सिहोर, जिला भावनगर, गुजरात	सामान्य संरचना इस्पात में पुनर्वैल्लन के लिए कार्बन ढलवा इस्पात बिलेट इंगट विलेट ब्लूम और स्लैब की-विशिष्ट	2830	0	0	2012
09.	3969390	24 जुलाई 2013	मैसर्स फलाह स्टील प्लोट नंबर 2, सर्वे नंबर 161 सिहोर-घांघली रोड, तालुका सिहोर, जिला भावनगर, गुजरात-364240	सामान्य संरचना इस्पात में पुनर्वैल्लन के लिए कार्बन ढलवा इस्पात बिलेट इंगट विलेट ब्लूम और स्लैब की-विशिष्ट	2830	0	0	2012
10.	3965988	17 जुलाई 2013	मैसर्स बालाजी सबमर्सीबल पम्पस प्राइवेट लिमिटेड सर्वे नं० 19, प्लॉट नं० 40, सम्राट मार्बल के पीछे, टाटा शोरूम के सामने, गोंडल रोड, बावडी, जिला राजकोट, गुजरात-360004	निमज्जनीय पम्प सेट	8034	0	0	2002
11.	3968691	23 जुलाई 2013	मैसर्स पी० एम० डीजल प्राइवेट लिमिटेड युनिट 2, मीरा इन्डस्ट्रीयल सोसायटी, प्लॉट नं० 137, 140, 144, 147, रिंग रोड राजकोट, गुजरात-360003	निमज्जनीय पम्प सेट	8034	0	0	2002
12.	3970981	29 जुलाई 2013	मैसर्स फेबटेक केबल्स प्राइवेट लिमिटेड प्लोट नंबर 19, 20, 22, 23, 26, 27, सर्वे नंबर 39/3, नवरंग इन्डस्ट्रीयल एस्टेट, क्रिष्णा पार्क होटल के पीछे, बावडी, जिला राजकोट, गुजरात-360004	निमज्जन मोटरों के बाईंडिंग तार-विशिष्ट भाग 4 अलग अलग तारों की विशिष्ट अनुभाग 3 पालियस्टर और पालिप्रापीलीन सोधित बाईंडिंग तार	8783	4	3	1995
13.	3966182	16 जुलाई 2013	मैसर्स अशोक एन्जिनियरींग एण्ड फाउन्डी वर्क्स, अशोक वाटीका, डेबर रोड साउथ एण्ड, राजकोट, गुजरात-360002	कृषि प्रयोजन के लिए स्वच्छ, ठंडे और ताजे जल हेतु मोनोसेट पम्प के इंजन की विशिष्ट	11501	0	0	1986
14.	3971478	30 जुलाई 2013	मैसर्स ओस्कर इन्डस्ट्रीज 16, सम्राट ऐरीया, एस टी वर्क शोप के पीछे, गोंडल रोड, राजकोट-360004	बटरप्लाइ वाल्व, सामान्य कार्यों के लिय	13095	0	0	1991
15.	3968893	22 जुलाई 2013	मैसर्स गीरीराज मीलक प्रोडक्ट्स प्रा० लि० जी-2702, क्रांति गेट, रोनाक मार्बल, मेटोडा जी आईडीसी, गांव मेटोडा, तालुका लोधीका, जिला राजकोट, गुजरात-360021	मलाईरहित दूध पाउडर-विशिष्ट	13334	1	0	1998

1	2	3	4	5	6	7	8	9
16.	3965887	17 जुलाई 2013	मैसर्स बालाजी सबमर्सीबल पम्पस प्राईवेट लिमिटेड, सर्वे नं० 19, प्लॉट नं० 40, सम्राट मार्बल के पीछे, टाटा शोरूम के समाने, गोंडल रोड बावडी, जिला राजकोट, गुजरात-360004	खुले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
17.	3966283	16 जुलाई 2013	मैसर्स पी०एम० डीजल प्राइवेट लिमिटेड युनिट 2 मीरा इन्डस्ट्रीयल सोसायटी, प्लॉट नं० 137, 140, 144, 147 रींग रोड, राजकोट, गुजरात-360003	खुले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
18.	3965180	12 जुलाई 2013	मैसर्स विष्णु बेवरेजिस रैयाणी कमलेश बाबुभाई, भोजपरा जेतपुरा रोड, पवित्र चौक, ग्रीन पार्क सोसायटी, गोंडल, जिला राजकोट, गुजरात-360311	पैकेजब्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)	14543	0	0	2004
19.	3971579	30 जुलाई 2013	मैसर्स श्री माता बिबरेजिस प्लाट नं० 28, श्रीजी इन्डस्ट्रीयल एस्टेट, हलबड धांगभ्रा हाइवे, हलबड, जिला सुरेन्द्रनगर, गुजरात-363330	पैकेजब्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)	14543	0	0	2004

[सं० केन्द्रीय प्रमाणन विभाग/13:11]

एम० राधाकृष्णा, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 7th August, 2013

S.O. 2438.—In pursuance of sub-regulations (5) of regulation 4 of the Bureau of Indian Standards (Certificate) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and address of the party	Title of the Standard	IS No.	Part.	Sec.	Year
1	2	3	4	5	6	7	8	9
01.	3966081	16/07/2013	M/s Pylon Cable 2, Kanti Nagar, Opposite Vijay Fully, Ahed of Kothariya Chowkdi, N/H 8-B, Rajkot, Gujarat-360003	PVC Insulated cables for working voltages up to and including 1100 V	694	0	0	1990
02.	3963378	04/07/2013	M/s Sohan Engineering Corporation Plot No. 13/B Amrut Udyog, Opp. Dev Kalyan Ice factory, Kothariya, Rajkot, Gujarat-360004	Mild steel tubes, Tubulars and other wrought steel fittings, Part 2 Mild steel tubulars and other wrought steel pipe fittings	1239	2	0	2011
03.	3965382	12/07/2013	M/s Soni Anil Maganlal & Co. Nani Poshad Sheri, Saraf Bazar, Bhuj, District: Kachchh, Gujarat	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999

1	2	3	4	5	6	7	8	9
04.	3965584	12/07/2013	M/s Malabar Gold Private Limited, Shop No. 1A, Ground Floor, Kalawad Road, Crystall Mall, Opp. Rani Tower, Rajkot, Gujarat-360007	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
05.	3969289	23/07/2013	M/s Asia Jewellers Kansara Bazar Chowk, Soni Bazar, Bhuj, District: Kachchh, Gujarat-370001	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
06.	3965483	12/07/2013	M/s Malabar Gold Private Limited, Shop No. 1A Ground Floor, Kalawad Main Road, Crystall Mall, Opp. Rani Tower, Rajkot, Gujarat-360007	Silver and Silver Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	2112	0	0	2003
07.	3964178	08/07/2013	M/s Capital Steel Industries Survey No. 198/P, Plot No. 4 & 5, Village Ghanghali, Taluka Sihor, District: Bhavnagar, Gujarat-364240	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	2830	0	0	2013
08.	3967285	17/07/2013	M/s M. D. Inducto Cast Private Limited, Survey No. 144, Paiki 1 & 2, At Nesada, Taluka Sihor, District: Bhavnagar, Gujarat	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	2830	0	0	2012
09.	3969390	24/07/2013	M/s Falash Steel, Falah Steel 119-Madhav Darshan, 1st Floor Waghavadi Road, Bhavnagar, Gujarat-364001	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	2830	0	0	2012
10.	3965988	17/07/2013	M/s Balaji Submersible Pumps Pvt.. Ltd. Sr. No. 19, Plot No. 40, B/H Samrat Marble, Opposite Tata Show Room, Gondal Road, Vavdi, Rajkot, Gujarat-360004	Submersible Pumpsets- Specification	8034	0	0	2002
11.	3968691	23/07/2013	M/s P.M. Diesels Pvt. Ltd. (Unit-2) Mira Ind Society, Plot No. 137, 140, 144, 147, Ring Road, District: Rajkot, Gujarat- 360003	Submersible Pumpsets- Specification	8034	0	0	2002
12.	3970981	29/07/2013	M/s Fabtech Cables Private Limited, Plot No. 19, 20, 22, 23, 26 & 27, Survey No. 39/3, Navrang Industrial Estate, Behind Hotel Krishna Park, Vavdi., Rajkot, Gujarat-360004	Winding Wires for Submersible Motors- Specification- Part 4: Specification for Individual Wires- Section 3: Polyester and Polypropylene Insulated Wi	8783	4	3	1995
13.	3966182	16/07/2013	M/s Ashok Engineering & Foundry Works Ashok Vatika, Dhebar Road (South End), Rajkot, Gujarat-360002	Specification for Engine Monoset Pumps for Clear, Cold, Fresh Water for Agricultural Purposes	11501	0	0	1986

1	2	3	4	5	6	7	8	9
14.	3971478	30/07/2013	M/s Oskar Industries Oskar Industries 16, Samrat Industrial Area, B/H S.T. Work Shop, Gondal Road, Rajkot Gujarat- 360004,	Butterfly valves for general purposes	13095	0	0	1991
15.	3968893	22/07/2013	M/s Giriraj Milk Products Pvt. Ltd. G-2702, Kranti Gate, Near Ronak Marble, Metoda GIDC, At Village Metoda, Taluka Lodhika, District: Rajkot Gujarat-360021	Skimmed Milk Powder- Specification-Part 1: Standard Grade	13334	1	0	1998
16.	3965887	17/07/2013	M/s Balaji Submersible Pumps Pvt. Ltd. Survey No. 19, Plot No. 40, B/H Samrat Marble, Opposite Tata Show Room, Gondal Road Vavdi, Rajkot, Gujarat-360004	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
17.	3966283	16/07/2013	M/s P.M. Diesels Pvt. Ltd. (Unit 2) Mira Indl. Society, Plot No. 137, 140, 144, 147 Ring Road, Rajkot, Gujarat-360003	Opwenwell Submersible Pumpsets-Specification	14220	0	0	1994
18.	3965180	12/07/2013	M/s Vishnu Beverages Raiyani Kamles Babubhai, Bojpara, Jetpur Road, Pavitra Chowk, Green Park Society, Gondal, District: Rajkot Gujarat-360311	Packaged Drinking Water (other than Packaged Natural Mineral Water Specification	14543	0	0	2004
19.	3971579	30/07/2013	M/s Shree Mata Beverages Plot No. 28, Shreeji Industrial Estate, Halvad-Dhrangdhar High-Way, Halvad, District: Surendranagar, Gujarat-363330	Packaged Drinking Water (other than Packaged Natural Mineral Water)- Specification	14543	0	0	2004

[No. CMD/13:11]

M. RADHAKRISHNA, Scientist 'F' & Head

नई दिल्ली, 11 सितम्बर, 2013

का०आ० 2439.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपविनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं को लाइसेंस प्रदान किए गए हैं:—

अनुसूची

क्र० सं०	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनु	वर्ष
1	2	3	4	5	6	7	8	9
01	3972682	02 अगस्त 2013	मैसर्स गंगा दर्शन पोलिमर्स गांव नीची मंडा, तालुका मोरबी, जिला राजकोट, गुजरात 363642	पेय जल की पूर्ति के लिए असुघटित पी०वी०सी० पाइप - विशिष्ट	4985	0	0	2000

1	2	3	4	5	6	7	8	9
02	3973684	05 अगस्त 2013	मैसर्स श्रीजी स्टील इन्डस्ट्रीज प्लॉट नं० 168171, सिहोर अहमदाबाद रोड, जी आई डी सी- IV, गांव घांघली तालुका सिहोर, जिला भावनगर, गुजरात 364240	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विकसित इस्पात छड़ और तार	1786	0	0	2008
03	3975183	07 अगस्त 2013	मैसर्स वीए इन्डस्ट्रीज सर्वे नं० 4103, मोडवदर रोड, गांव मीठी रोहर, तालुका गांधीधाम, जिला कच्छ, गुजरात 370201	सामान्य प्रयोजनों के लिए प्लाईवुड	303 0	0	0	1989
04	3975284	07 अगस्त 2013	मैसर्स वीए इन्डस्ट्रीज सर्वे नं० 410 3, मोडवदर रोड, गांव मीठी रोहर, तालुका गांधीधाम, जिला कच्छ, गुजरात 370240	लकड़ी के सपाट दरवाजे के शटर टोस कोर टाइप (भाग 1) प्लाईवुड के सतह युक्त पल्ले	2202	1	0	1999
05	3975385	07 अगस्त 2013	मैसर्स वीए इन्डस्ट्रीज सर्वे नं० 410 3, मोडवदर रोड, गांव मीठी रोहर, तालुका गांधीधाम, जिला कच्छ, गुजरात-370240	ब्लॉक बोर्ड	1659	0	0	2004
06	3975486	07 अगस्त 2013	मैसर्स अपोलो विकास स्टील प्राइवेट लिमिटेड सर्वे नं० 176, ब्लॉक नं० 139, प्लॉट नं० 1, भावनगर तलाजा रोड, गांव मामसा, तालुका घोघा, जिला भावनगर, गुजरात	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिये कार्बन ढलवां इस्पात बिलेट इंगट बिलेट ब्लूम और स्लैब की- विशिष्टि	2830	0	0	2012
07	3976387	08 अगस्त 2013	मैसर्स सुमो पोलिप्लास्ट प्राइवेट लिमिटेड, प्लाट नं० जी 925, किष्ना गेट रोड, कालावड रोड, जीआईडीसी मेटोडा, जिला राजकोट, गुजरात-360026	तप्त और अतप्त पेय जल वितरण व्यवस्था के लिए क्लोरीनकृत पॉलीविनायल क्लोराइड सीपीवीसी पाइप	15778	0	0	2007
08	3976488	08 अगस्त 2013	मैसर्स श्री सोनी दिनेशकुमार लक्ष्मीदास झांसी की रानी रोड, सोनी बाजार, मांडवी, जिला कच्छ, गुजरात-370465	स्वर्ण एवं स्वर्ण मिश्र धातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्टि	1417	0	0	1999
09	3977288	12 अगस्त 2013	मैसर्स अन्नपूर्णा इस्पात ब्लॉक नं० 65, प्लॉट नं० 2, गांव मामसा, तालुका धोधा शंपरा, जिला भावनगर, गुजरात-364001	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिये कार्बन ढलवां इस्पात बिलेट इंगट बिलेट ब्लूम और स्लैब की विशिष्टि	2830	0	0	2012
10	3977086	13 अगस्त 2013	मैसर्स ब्रेना इरिगेशन प्राइवेट लिमिटेड, प्लाट नं० 807, बढवान जीआईडीसी, फेज-तालुका वढवान, जिला सुरेन्द्रनगर, गुजरात-364240	इमीटींग पाईप सीस्टम	13488	0	0	2008
11	3977187	13 अगस्त 2013	मैसर्स ब्रेना इरिगेशन प्राइवेट लिमिटेड, प्लोट नं० 807, बढवान जीआईडीसी, फेज-तालुका वढवान, जिला सुरेन्द्रनगर, गुजरात-364240	सिंचाई उपस्कर-छलनी टाइप फिल्टर - विशिष्टि	12786	0	0	1989

1	2	3	4	5	6	7	8	9
12	3977793	13 अगस्त 2013	मैसर्स विलमोर प्लाय प्राईवेट लिमिटेड, सर्वे नम्बर 1311, ग्रेन इलेक्ट्रॉनिक के पीछे, भचाउ अंजार रोड, गांव वरसामेडी, तालुका अंजार, जिला कच्छ, गुजरात	ब्लॉक बोर्ड	1659	0	0	2004
13	3977894	13 अगस्त 2013	मैसर्स विलमोर प्लाय प्राईवेट लिमिटेड, सर्वे नम्बर 1311, ग्रेन इलेक्ट्रॉनिक के पीछे, भचाउ अंजार रोड, गांव वरसामेडी, तालुका अंजार, जिला कच्छ, गुजरात	सामान्य प्रयोजनों के लिए प्लाइवुड	303	0	0	1989
14	3977995	13 अगस्त 2013	मैसर्स विलमोर प्लाय प्राईवेट लिमिटेड, सर्वे नम्बर 1311, ग्रेन इलेक्ट्रॉनिक के पीछे, भचाउ अंजार रोड, गांव वरसामेडी, तालुका अंजार, जिला कच्छ, गुजरात	लकड़ी के सपाट दरवाजे के शटर दोस कोर टाइप (भाग 1) प्लाइवुड के सह युक्त पल्ले	2202	1	0	1999
15	3978694	14 अगस्त 2013	मेसर्स बालाजी केबल इन्डस्ट्रीज वर्धमान इन्डस्ट्रीयल एरिया, प्लॉट नं 5, कोठारीया, सर्वे 2592, सौराष्ट्र सोलवंट राष्ट्रीय राजमार्ग, कोठारीया, राजकोट गुजरात 360004	1100 वोल्ट तक की कार्यकारी वोल्टता के लिए पीवीसी रोधित केबल	694	0	0	1990
16	3978795	14 अगस्त 2013	मेसर्स अमीधारा पम्प इन्डस्ट्रीज गमारा पेट्रोल पम्प के पास, प्लॉट नं 18, सर्वे नं 17, शेड नं 6, राजकोट गुजरात 360003	खूले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
17	3978896	14 अगस्त 2013	मेसर्स अस्थविनायक इन्जीनियर्स 13, मनहर प्लॉट 2, बंद गली, गोडावुन रोड, राजकोट, गुजरात 360002	खूले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
18	3979898	16 अगस्त 2013	मैसर्स मारुति इलैक्ट्रिक एटलास इन्डस्ट्रीयल एरिया, प्लॉट नं 37, ए राष्ट्रीय मार्ग 8 बी, होटल किष्ना पार्क के सामने, रेलवे क्रॉसिंग के पास, कोठारीया, राजकोट गुजरात 360004	निमज्जनीय पम्प सेट	8034	0	0	2002
19	3979999	16 अगस्त 2013	मैसर्स दातार एन्टरप्राइज संस्कार इन्डस्ट्रीयल सोसायटी, स्ट्रीट नं 2, प्लॉट नं 36, खोखडदडी नदी के पीछे, राष्ट्रीय मार्ग 8 बी रिंग रोड, राजकोट, गुजरात 360002	खूले कुएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
20	3980277	16 अगस्त 2013	मैसर्स अंकीत ज्वेलर्स जैन उपाश्रय के सामने, शिल्पा ज्वेलर्स के पास पेलेस रोड, जिला राजकोट, गुजरात 360001	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन - विशिष्ट	1417	0	0	1999

1	2	3	4	5	6	7	8	9
21	3981481	19 अगस्त 2013	मैसर्स सागर इरिगेशन प्राईवेट लिमिटेड प्लोट नं 109-111, ओल्ड राष्ट्रीय राजमार्ग, बानबोर, जी०आई०डी०सी०, गांव नवागाम, तालुका चोटीला, जिला राजकोट, गुजरात 363520	सिंचाई उपस्कर-छलनी टाइप फिल्टर - विशिष्ट	12786	0	0	1989
22	3981986	19 अगस्त 2013	मैसर्स गहेना ज्वेलर्स हिरावन कोम्पलेक्स के समाने, विठल प्रेस रोड, सुरेन्द्रनगर, गुजरात 360001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट	1417	0	0	1999
23	3983788	22 अगस्त 2013	मैसर्स नर्मदा पाईप्स सर्वे नंबर 211, नेशनल हाईवे, 8-बी, गांव वेरावल (सापर), जिला राजकोट, गुजरात 360002	सिंचाई उपस्कर उत्सर्जन-विशिष्ट	13487	0	0	1992
24	3984487	23 अगस्त 2013	मैसर्स श्री राम इलेक्ट्रीकल्स मारुति इन्डस्ट्रीयल एरिया, स्ट्रीट नं 5, मुरलिधर वेइट ब्रिज के पीछे, कोठारीया रिंग रोड, राजकोट, गुजरात 360002	निमज्जनीय पम्प सेट	8034	0	0	2002
25	3985287	26 अगस्त 2013	मैसर्स कास्ट एन्ड ब्लोवर कुं गुजरात प्राईवेट लिमिटेड, पी ओ बॉक्स नं 1009, त्रिशुल एस्टेट, आजी इन्डस्ट्रीयल एस्टेट, 80 फिट रोड, राजकोट, गुजरात 360003	निमज्जनीय पम्प सेट	8034	0	0	2002
26	3985388	26 अगस्त 2013	मैसर्स राजशक्ति ज्वेलर्स शियानी पोल के अंदर, शाक मार्केट के पास वढवान, सुरेन्द्रनगर, गुजरात 363030	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन—विशिष्ट	1417	0	0	1999
27	3985489	26 अगस्त 2013	मैसर्स श्री बजरंग ज्वेलर्स जलाराम शोपिंग सेन्टर, नानी बाजार, गुदाला शेरी गोंडल, जिला राजकोट, गुजरात 360311	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन—विशिष्ट	1417	0	0	1999
28	3985590	26 अगस्त 2013	मैसर्स बी० जी० ज्वेलर्स एम०जी० रोड,, जैन होस्पिटल के पास, वेरावल, जिला पोरबंदर, गुजरात 362265	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन—विशिष्ट	1417	0	0	1999
29	3987493	27 अगस्त 2013	मैसर्स वर्षा ज्वेलर्स विश्वेश्वर टेम्पल के पास, मवडी मेइन रोड, मारुतिनगर, रणछोड़ विद्यालय, राजकोट, गुजरात 360004	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन—विशिष्ट	1417	0	0	1999
30	3987594	27 अगस्त 2013	मैसर्स मीती ज्वेलर्स 11, अर्जुन कोम्पलेक्स,, अतिथि चोक, पंचवटी मेइन रोड, राजकोट, गुजरात 360002	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन—विशिष्ट	1417	0	0	1999

1	2	3	4	5	6	7	8	9
31	3987695	27 अगस्त 2013	मैसर्स पाटीदार ज्वेलर्स 3, हनुमान शोपिंग सेन्टर, दीनदयाल चोक, बोटाद, जिला भावनगर, गुजरात 364710	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन—विशिष्ट	1417	0	0	1999
32	3989497	30 अगस्त 2013	मेसर्स सेन्चुरी इलेक्ट्रीकल कम्पनी 2, उमाकान्त उद्योगनगर, मवडी प्लॉट, राजकोट, गुजरात 360004	खुले कूएं के लिए निमज्जय पम्पसेट	14220	0	0	1994
33	3989501	30 अगस्त 2013	मैसर्स परफेक्ट पम्प दीपक ट्रान्सपोर्ट के पीछे, राष्ट्रीय मार्ग, चन्द्रपुर, तालुका वाकानेर, जिला राजकोट, गुजरात 360002	निमज्जनीय पम्प सेट	8034	0	0	2002

[सं० केन्द्रीय प्रमाणन विभाग/13: 11]
एम० राधाकृष्णा, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 11th September, 2013

S.O. 2439.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certificate) Regulations, 1988, the Bureau of Indian Standards hereby notifies the grant of licences particulars of which are given below in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and address of the party	Title of the Standard	IS No.	Part.	Sec.	Year
1	2	3	4	5	6	7	8	9
01	3972682	02/08/2013	M/s.. Ganga Darshan Polymers Village Nichi Mandal, Taluka Morbi, District Rajkot, Gujarat-363642	Unplasticized PVC Pipes for Potable Water Supplies— Specification	4985	0	0	2000
02	3973684	05/08/2013	M/s. Shreeji Steel Industries 207, Shoppers Plaza, Parimal Chowk, Waghwadi Road, Bhavnagar, Gujarat-364002	Specifcation for high strength deformed steel bars and wires for concrete reinforcement	1786	0	0	2008
03	3975183	07/08/2013	M/s. V.A. Industries Vraj, Plot No. 215, Ward No. 8a, Subhash Nagar, Opposite Sports Complex, District: Kachchh, Gujarat-370240	Specification for plywood for general purposes	303	0	0	1989
04	3975284	07/08/2013	M/s.. V.A. Industries Survey No. 410/3, Modvadar Road, Village Mithi Roher, Taluka Gandhidham, District: Kachchh, Gujarat-370240	Specification for wooden flush door shutters (solid core type): Part 1 Plywood face panels	2202	1	0	1999

1	2	3	4	5	6	7	8	9
05	3975385	07/08/2013	M/s.. V.A. Industries Vraj, Plot No. 215, Ward No. 8a, Subhash Nagar, Opposite Sport Complex, District: Kachchh, Gujarat-370201	Specification for block Boards	1659	0	0	2004
06	3975486	07/08/2013	M/s.. Apollo Vikas Steels Pvt. Ltd. Survey No. 176, Block No. 139, Plot No. 1, Bhavanagar, Talaja Road, Village: Mamsa, District : Bhavnagar, Gujrat	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	2830	0	0	2012
07	3976387	08/08/2013	M/s.. Sumo Polyplast Pvt. Ltd. Plot No. G-925, Krishan Gate Road, Kalawad Road, G.I.D.C., Metoda, District: Rajkot, Gujarat-360026	Chlorinated PVC Pipes for Potable Hot and Cold Water Distribution Supplies	15778	0	0	2007
08	3976488	08/08/2013	M/s. Soni Dineshkumar Laxmidas Zansi Ki Rani Road, Soni Bazar, Mandvi, District : Kachchh, Gujarat-370465	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
09	3977288	12/08/2013	M/s. Annapurna Ispat Lati Bazar, Bhavnagar, Gujarat	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural perposes	2830	0	0	2012
10	3977086	13/08/2013	M/s. Brenna Irrigation Pvt. Ltd. 325, Mega Mall, 3rd Floor, Near Milan Cinema Main Road, Surendranagar, Gujarat-363001	Emitting pipes system	13488	0	0	2008
11	3977187	13/08/2013	M/s. Brenna Irrigation Pvt. Ltd. 325, Mega Mall, 3rd Floor, Near Milan Cinema Surendranagar, Gujarat-363001	Irrigation Equipment- Polyethylene Pipes for Irrigation Laterals- Specification	12786	0	0	1989
12	3977793	13/08/2013	M/s. Willmore Ply Private Limited 14, Surya Complex, 2nd Floor, Navyug Colony, Bhulabhai Park Char Rasta, District : Ahmedabad, Gujarat-380022	Specifcation for block boards	1659	0	0	2004
13	3977894	13/08/2013	M/s. Willmore Ply Private Limited 14, Surya Complex, 2nd Floor, Navyug Colony, Bhulabhai Park Char Rasta, District : Ahmedabad, Gujarat-380022	Specification for plywood for general purposes	303	0	0	1989

1	2	3	4	5	6	7	8	9
14	3977995	13/08/2013	M/s. Willmore Ply Private Limited Survey No. 131-1, Behind Gran Electronic, Bhachau-Anjar Road, Village Varsamedi Taluka Anjar, District: Kachchh, Gujarat	Specification for wooden flush door shutters (solid core type): Part 1 Plywood face panels	2202	1	0	1999
15	3978694	14/08/2013	M/s. Balaji Cable Industries Vardhaman Industrial Area, Plot No. 5, Kothariya, Survey 259/2, Behind Saurashtra Solvent, National Highway, Kothariya, District: Rajkot, Gujarat-360004	PVC Insulated cables for working voltages upto and including 1100 V	694	0	0	1990
16	3978795	14/08/2013	M/s. Amidhara Pump Industries Near Gamara Petrol Pump, Plot No. 18, Survey No. 17, Shed No. 6, District: Rajkot, Gujarat-360003	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
17	3978896	14/08/2013	M/s. Ashtavinayak Engineers 13 Manhar Plot, 2nd Closed Street, Godown Road, District : Rajkot, Gujarat-360002	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
18	3979898	16/08/2013	M/s. Maruti Electric Atlas Ind. Area, Plot No. 37-A, N.H. 8-B, Opp. Hotel Krishna Park, Near Railway Crossing, Kothariya, District: Rajkot, Gujarat-360004	Submersible Pumpsets- Specification	8034	0	0	2002
19	3979999	16/08/2013	M/s. Datar Enterprise Sanskar Industrial Society, Street No. 2, Plot No. 36, B/h. Khokhaddadi River, N.H. 8/B, Ring Road, Rajkot, Gujarat-360002	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
20	3980277	16/08/2013	M/s. Ankit Jewellers Opp. Jain Upashray, Near Shilpa Jewellers, Palace Road, District: Rajkot Gujarat-360001	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
21	3981481	19/08/2013	M/s. Sagar Irrigation Pvt. Ltd. Plot No. 109 to 111, Old National Highway, Bamanbore Gide, At Village Navagam, Taluka Chotila, Distret: Rajkot Gujarat-363520	Irrigation Equipment- Polyethylene Pipes for Irrigation Laterals- Specification	12786	0	0	1989
22	3981986	19/08/2013	M/s. Gahena Jewellers Opp. Hiravan Complex, Vitthal Press Road, Surendranagar, Gujarat-363001	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999

1	2	3	4	5	6	7	8	9
23	3983788	22/08/2013	M/s. Narmada Pipes Survey No. 211, National Highway 8-B, Village Veraval (Shapar), District: Rajkot, Gujarat-360002	Irrigation Equipment- Emitters-Specification	13487	0	0	1992
24	3984487	23/08/2013	M/s. Shree Ram Electricals Maruti Ind. Area, St. No. 5, B/H Murlidhar Weight Bridge, Kothariya Ring Road, Rajkot, Gujarat-360002	Submersible Pumpsets- Specificalton	8034	0	0	2002
25	3985287	26/08/2013	M/s. Cast and Blower Company (Gujarat) Pvt. Ltd. P.B. No. 1009, Trishul Pump, Aji Industrial Estate, 80 Feet Road, District: Rajkot, Gujarat-360003	Submersible Pumpsets- Specification	8034	0	0	2002
26	3985388	26/08/2013	M/s. Rajshakti Jewellers In Shiyani Pol, Nesar Shakmarket, Wadhwan, Surendranagar, Gujarat-363030	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
27	3985489	26/08/2013	M/s. Shree Bajrang Jewellers Jalaram Shoping Centre, Nani Bazar, Gundala Street, Gondal, District: Rajkot, Gujarat-360311	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
28	3985590	26/08/2013	M/s. B.G. Jewellers M.G. Road, Near Jain Hospital, Veraval, District: Porbandar, Gujarat-362265	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
29	3987493	27/08/2013	M/s. Varsha Jewellers Nr. Visweshwr Temple, Mavdi Ain Road, Marutinagar, Ranchod Vidhyalaya, Rajkot, Gujarat-360004	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
30	3987594	27/08/2013	M/s. Miti Jewellers 11, Arjun Complex, Atithi Chowk, Panchvati Main Road, Rajkot, Gujarat-360002	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
31	3987695	27/08/2013	M/s. Patidar Jewellers 3, Hanuman Shoping Centre, Dindayal Chowk, Botad, District: Bhavnagar, Gujarat-364710	Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking- Specification	1417	0	0	1999
32	3989497	30/08/2013	M/s. Century Electrical Company 2-Umakant Udyognagar, Mavdi Plot, Rajkot, Gujarat-360004	Openwell Submersible Pumpsets-Specification	14220	0	0	1994
33	3989501	30/08/2013	M/s. Perfect Pump Behind Dipak Transport, National Highway, At Chandrapur, Taluka Wankaner, District: Rajkot, Gujarat-363621	Submersible Pumpsets- Specification	8034	0	0	2002

[No. CMD/13:11]

M. RADHAKRISHNA, Scientist 'F' & Head

नई दिल्ली 11 सितम्बर, 2013

का०आ० 2440.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप-विनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं, को लाइसेंस रद्द किए गए हैं:

अनुसूची

क्र० सं०	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्दीकरण तिथि
1.	3910660	मैसर्स प्योर अलोयस प्राइवेट लिमिटेड रोलींग मील डीविजन, सिहोर घांघली रोड नम्बर 214, आर एस नम्बर 225-7, पैकी प्लॉट नंबर 1 एवं 2, गाव घांघली, तालुका सिहोर, जिला भावनगर, गुजरात-364240	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य विकसित इस्पात छड़ और तार	13 अगस्त, 2013

[सं. केन्द्रीय प्रमाणन विभाग/13:11]
एम० राधाकृष्णा, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 11th September, 2013

S.O. 2440.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certificate) Regulations, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below have cancelled/suspended with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licences No.	Name & Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelled/suspension	Date of Cancellation
1	2	3	4	5
1.	3910660	M/s. Pure Alloys Pvt. Ltd. Sihor Ghanghali Road No. 214, R.S. No. 225-7, Paiki, Plot No. 1 & 2 , Village Ghanghali, Taluka Sihor, District: Bhavnagar, Gujarat-364001	High Strength deformed steel bars and wires for concrete reinforcement	13/08/2013

[No. CMD/13:11]
M. RADHAKRISHNA, Scientist 'F' & Head

नई दिल्ली, 7 अक्टूबर, 2013

का०आ० 2441.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानकों का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गये हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 10322 (भाग 5/अनुभाग 5) : 2013 प्रदीपक भाग 5 विवरणात्मक अपेक्षाएँ अनुभाग 5 फलड लाईटिंग (पहला पुनरीक्षण)	—	07 अक्टूबर, 2013

(1)	(2)	(3)	(4)
2.	आई एस 10322 (भाग 5/अनुभाग 6) : 2013 प्रदीपक भाग 5 विवरणात्मक अपेक्षाएं अनुभाग 6 हैंड लैम्प	—	07 अक्टूबर, 2013
3.	आई एस 10322 (भाग 5/अनुभाग 7) : 2013 प्रदीपक भाग 5 विवरणात्मक अपेक्षाएं अनुभाग 7 लाइटिंग चेन	—	07 अक्टूबर, 2013
4.	आई एस 10322 (भाग 5/अनुभाग 8) : 2013 प्रदीपक भाग 5 विवरणात्मक अपेक्षाएं अनुभाग 8 आपातकालीन प्रकाश— व्यवस्था	—	07 अक्टूबर, 2013

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ ईटी 24/टी-103, टी-104, टी-105 एवं टी-106]
आर० सी० मैथ्यू, वैज्ञानिक 'एफ' एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 7th October, 2013

S.O. 2441.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 10322 (Part 5/Sec 5): 2013 Luminaires Part 5 particular requirements Section 5 flood lights (First revision)	—	07 October, 2013
2.	IS 10322 (Part 5/Sec 6): 2013 Luminaires Part 5 particular requirements Section 6 hand lamps	—	07 October, 2013
3.	IS 10322 (Part 5/Sec 7): 2013 Luminaires Part 5 particular requirements Section 7 lighting chains	—	07 October, 2013
4.	IS 10322 (Part 5/Sec 8): 2013 Luminaires Part 5 particular requirements Section 8 emergency lighting	—	07 October, 2013

Copies of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. ET 24/T-103, T-104, T-105 & T-106]
R.C. MATHEW, Scientist 'F' & Head (Electrotechnical)

नई दिल्ली, 8 अक्टूबर, 2013

का०आ० 2442.—भारतीय मानक ब्यूरो नियम, 1987 के नियम, 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिस भारतीय मानकों का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गये हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 12762 (भाग 3): 2013 प्रकाशवोल्टीय युक्तियाँ भाग 3 संदर्भ वर्णक्रमीय अभिकिरण डाटा स्थलीय प्रकाशवोल्टीय (पी वी) सौर युक्ति के लिए मापन सिद्धांत (पहला पुनरीक्षण)	—	08 अक्टूबर, 2013
2.	आई एस 12762 (भाग 7): 2013 प्रकाशवोल्टीय युक्तियाँ भाग 7 प्रकाशवोल्टीय युक्तियों के मापन हेतु सपैक्ट्रल असंतुलन सुधार की गणना	—	08 अक्टूबर, 2013
3.	आई एस 12763: 2013 प्रकाशवोल्टीय युक्तियाँ – मापित आई-वी अभिलक्षणों में तापमान तथा अभिकिरण सुधार हेतु कार्यविधि (पहला पुनरीक्षण)	—	08 अक्टूबर, 2013
4.	आई एस 12834: 2013 सौर प्रकाशवोल्टीय ऊर्जा प्रणालियाँ – शब्द, परिभाषाएँ एवं चिन्ह (पहला पुनरीक्षण)	—	08 अक्टूबर, 2013
5.	आई एस 16077: 2013 पतले फिल्म वाले भू प्रकाशवोल्टीय (पी वी) मॉड्यूल- डिजाइन अर्हताएँ एवं टाइप अनुमोदन	—	08 अक्टूबर, 2013

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ ईटी 28/टी-9, टी-22, टी-15, टी-2, टी-29]

आर० सी० मैथ्यू, वैज्ञानिक 'एफ' एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 8th October, 2013

S.O. 2442.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 12762 (Part 3): 2013 Photovoltaic Devices— Part 3 Measurement Principles for Terrestrial Photovoltaic (PV) Solar Devices	—	08 October, 2013

(1)	(2)	(3)	(4)
	With Reference Spectral Irradiance Data (First Revision)		
2.	IS 12762 (Part 7) : 2013 Photovoltaic Devices - Part 7 Computation of the Spectral Mismatch Corrections for Measurements of Photovoltaic Devices	—	08 October, 2013
3.	IS 12763 : 2013 Photovoltaic Devices Procedures For Temperature And Irradiance Corrections to Measured I-V Characteristics (First Revision)	—	08 October, 2013
4.	IS 12834 : 2013 Solar Photovoltaic Energy Systems-Terms, Definitions And Symbols (First Revision)	—	08 October 2013
5.	IS 16077 : 2013 Thin-Film Terrestrial Photovoltaic (PV) Modules-Design Qualification and Type Approval	—	08 October, 2013

Copies of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. ET 28/T-9, T-22, T-15, T-2, T-29]

R.C. MATHEW, Scientist 'F' & Head (Electrotechnical)

नई दिल्ली, 30 सितम्बर, 2013

कांआ 2443.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (को) में संशोधन किया गया/किये गये हैं।

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (को) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आईएस 1397: 1990 क्राफ्ट कागज (दूसरा पुनरीक्षण)	संशोधन संख्या नं० 3 सितंबर 2013	30 सितंबर 2013
2	आईएस 12766: 1997 कागज, कम्प्यूटर (पहला पुनरीक्षण)	संशोधन संख्या नं० 3 सितंबर 2013	30 सितंबर 2013

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110 002 क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई, तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

[संदर्भ सीएचडी 15/आईएस 1397 और 12766]

डा० राजीव के० झा, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 30th September, 2013

S.O. 2443.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1397: 1990 Kraft Paper—Specification (second revision)	Amendment No. 3 September 2013	30 September 2013
2.	IS 12766: 1997 Paper, Computer—Specification (first revision)	Amendment No. 3 September 2013	30 September 2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhuleswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. On line purchase of Indian standard can be made at: <http://www.standardsbis.in>.

[Ref. CHD 15/IS 1397 & 12766]

Dr. RAJIV K. JHA, Scientist 'F' & Head (CHD)

नई दिल्ली, 30 सितम्बर, 2013

का०आ० 2444.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं।

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आईएस 6714: 1989 डेक पर प्रयुक्त मिश्रित रोगन, परिसज्जा के लिए, न फिसलाने वाला- विशिष्ट (पहला पुनरीक्षण)	संशोधन संख्या नं० 1 सितंबर 2013	30 सितंबर 2013

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110 002 क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई, तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

[संदर्भ सीएचडी 20/आईएस 6714]

डा० राजीव के० झा, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 30th September, 2013

S.O. 2444.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 6714: 1989 Ready mixed paint, finishing, non-slip, deck—Specification (first revision)	Amendment No. 1 September 2013	30 September, 2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkatta, Chandigarh, Channai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubeneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. On line purchase of Indian standard can be made at: <http://www.standardsbis.in>.

[Ref. CHD 20/IS 6714]

Dr. RAJIV K. JHA, Scientist 'F' & Head (CHD)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2445.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि जिन मानकों का विवरण नीचे अनुसूची में दिया गये हैं वे स्थापित हो गये हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस/आई एस ओ 6182-7:2004 अग्नि सुरक्षा-स्वचलित स्प्रिंकलर तंत्र भाग 7 जल्दी दमन तेज प्रतिक्रिया (इएसएफआर) वाले स्प्रिंकलरों की आवश्यकताएं और परीक्षण विधियां	—	30.09.2013
2.	आई एस/आई एस ओ 7240-5:2003 अग्नि संसूचक व संचेतक तंत्र भाग 5 नुकीले उष्मा संसूचक	—	30.09.2013
3.	आई एस/आई एस ओ 7240-7:2011 अग्नि संसूचक व संचेतक तंत्र भाग 7 बिखरा प्रकाश, संचारित प्रकाश या आयनन का प्रयोग करने वाले नुकीले धूम संसूचक	—	30.09.2013
4.	आई एस/आई एस ओ 7240-11:2011 अग्नि संसूचक व संचेतक तंत्र भाग 11 हस्तचलित संकेतक	—	30.09.2013
5.	आई एस/आई एस ओ 7240-15:2004 अग्नि संसूचक व संचेतक तंत्र भाग 15 बिखरा प्रकाश, संचारित प्रकाश अथवा सेंसर सहित आयनन सेंसर का प्रयोग करने वाले नुकीले अग्नि संसूचक	—	30.09.2013
6.	आई एस 16109: 2013 टर्नेटबल लैंडर विशिष्टि	—	30.09.2013

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन 9, बहादुर शाह जफर मार्ग, नई दिल्ली 110 002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई, तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा कोचि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० राय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 15th October, 2013

S.O. 2445.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicate it:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/ISO 6182-7:2004 Fire Protection—Automatic Sprinkler Systems Part 7 Requirements and Test Method for Early Suppression Fast Response (ESFR) Sprinklers	—	30-09-2013
2.	IS/ISO 7240-5:2003 Fire Detection and Alarm Systems Part 5 Point-Type Heat Detectors	—	30-09-2013
3.	IS/ISO 7240-7:2011 Fire Detection and Alarm Systems Part 7 Point-Type Smoke Detectors Using Scattered Light, Transmitted Light or Ionization	—	30-09-2013
4.	IS/ISO 7240-11:2011 Fire Detection and Alarm Systems Part 11 Manual Call Points	—	30-09-2013
5.	IS/ISO 7240-15:2004 Fire Detection and Alarm Systems Part 15 Point-Type Fire Detectors Using Scattered Light, Transmitted Light or Ionization Sensors in Combination with a Heat Sensor	—	30-09-2013
6.	IS/ISO 16109:2013 Turntable Ladder—Specification	—	30-09-2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkatta, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubeneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2446.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन मानकों का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गये हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2963:2013 सिंक व वॉश बेसिन के लिए तांबा मिश्र धातु के वेस्ट प्लग व फिटिंग—विशिष्ट (दूसरा पुनरीक्षण) (समामेली आई एस 3311:1979)	आई एस 2963:1979 आई एस 3311:1979	30 सितम्बर 2013
2.	आई एस 5219:2013 ढलवाँ तांबा मिश्र धातु के ट्रेप विशिष्ट (पहला पुनरीक्षण)	आई एस 5219 (भाग 1) : 1969	30 सितम्बर 2013
3.	आई एस 5312 (भाग 2):2013 जलकल के लिए स्विंग चेक प्रकार के रिफलक्स (गैरवापसी वाले) वाल्व—विशिष्ट: भाग 2 बहु दरवाजे प्रतिरूप (पहला पुनरीक्षण)	आई एस 5312 (भाग 2): 1986	30 सितम्बर 2013

इन भारतीय मानकों की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली - 110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों, अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूर्ण तथा कोचि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे. रॉय चौधरी, वैज्ञानिक 'एफ' व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 15th October, 2013

S.O. 2446.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each.

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 2963:2013 Copper alloy waste fittings and waste plug for wash basin and sinks—Specification (Second revision) (Amalgamating IS 3311:1979)	IS 2963:1979 IS 3311:1979	30 September 2013
2.	IS 5219:2013 Cast copper alloy traps—Specification (First revision)	IS 5219 (Part 1) : 1969	30 September 2013
3.	IS 5312 (Part 2): 2013 Swing check type reflux (non-return) valves for water works purpose—Specification: Part 2 Multi-door pattern (First revision)	IS 5312 (Part 2): 1986	30 September 2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Kochi.

[Ref. CED/Gazette]

J. ROYCHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2447.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 14435:2013 शैक्षिक संस्थानों में अग्नि शमन —रीति संहिता (पहला पुनरीक्षण)	आई एस 14435:1997	30.09.2013

इस भारतीय मानक की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली - 110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा कोचि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे. रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 15th October, 2013

S.O. 2447.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standard, particulars of which are given in the Schedule hereto annexed have been established on the date indicated it.

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 14435: 2013 Fire Safety in Educational Institutions—Code of Practice (First Revision)	IS 14435: 1997	30.09.2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal Bhubneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Kochi.

[Ref. CED/Gazette]

J. ROYCHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2448.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए हैं वे मानक स्थापित हो गये हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 10386 (भाग 2):2013 नदी घाटी परियोजनाओं के निर्माण, प्रचालन और रखरखाव की सुरक्षा संहिता भाग 2 सुविधाएं, सुरक्षात्मक कपड़े एवं उपकरण (पहला पुनरीक्षण)	आई एस 10386 (भाग 2): 1982	30.09.2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली - 110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनंतपुरम में बिक्री हेतु उपलब्ध है। भारतीय मानक कों <http://www.standardsbis.in> पर ऑनलाइन द्वारा खरीदा जा सकता है।

[संदर्भ डब्ल्यूआरडी/21/टी-2]

जे० सी० अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन विभाग)

New Delhi, the 15th October, 2013

S.O. 2448.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No., Title & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 10386: (Part 2): 2013 Safety Code for Construction, Operation and Maintenance of River Valley Projects Part 2 Amenities, Protective Clothing and Equipment (first Revision)	IS 10386 (Part 2): 1982	30.09.2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. WRD 21/T-2]

J.C. ARORA, Scientist 'F' & Head (Water Resources Deptt.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2449.—भारतीय मानक ब्यूरो नियम.1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए हैं वे मानक स्थापित हो गये हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अधिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 10386(भाग 1):2013 नदी घाटी परियोजनाओं के निर्माण, प्रचालन और रखरखाव की सुरक्षा संहिता भाग 1 सामान्य पहलू (पहला पुनरीक्षण)	आई एस 10386 (भाग 1) : 1983	30.10.2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली 110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनंतपुरम में बिक्री हेतु उपलब्ध है। भारतीय मानक कों <http://www.standardsbis.in> पर ऑनलाइन द्वारा खरीदा जा सकता है।

[संदर्भ डब्ल्यूआरडी 21/टी-1]

जे० सी० अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन विभाग)

New Delhi, the 15th October, 2013

S.O. 2449.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. Title & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 10386: (Part 1): 2013 Safety Code for Construction, Operation and Maintenance of River Valley Projects Part 1 General Aspects (first Revision)	IS 10386 (Part 1): 1983	31.10.2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal. Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. WRD 21/T-1]

J.C. ARORA, Scientist 'F' & Head (Water Resources Deptt.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2450.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए हैं वे मानक स्थापित हो गए हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अधिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 10386 (भाग 4): 2013 नदी घाटी परियोजनाओं के निर्माण, प्रचालन और रखरखाव की सुरक्षा संहिता भाग 4 विस्फोटकों का परिवहन, प्रहस्तन तथा भंडारण (पहला पुनरीक्षण)	आई एस 10386 (भाग 4): 1992	31-09-2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानक को <http://www.standardsbis.in> पर ऑनलाइन द्वारा खरीदा जा सकता है।

[संदर्भ डब्लू आर डी 21/टी-4]

जे० सी० अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन विभाग)

New Delhi, the 15th October, 2013

S.O. 2450.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Scheduled hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. Title & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 10386 (Part 4): 2013 Safety Code for Construction, Operation and Maintenance of River Valley Projects Part 4 Handling, Transportation and Storage of Explosives (first revision)	IS 10386 (Part 4): 1992	30 Sept. 2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvanthapuram.

[Ref. WRD 21/T-4]

J.C. ARORA, Scientist 'F' & Head (Water Resources Deptt.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2451.—भारतीय मानक ब्यूरो नियम 1987 क नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए हैं वे मानक स्थापित हो गए हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अधिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 16091:2013 खुले चैनलों में द्रव प्रवाह मापन – हाइड्रोमीटरी उपकरणों निर्दिष्ट कार्यकारिता की पद्धति	—	30.09.2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली – 110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानक कों <http://www.standardsbis.in> पर ऑनलाइन द्वारा खरीदा जा सकता है।

[संदर्भ डब्लू आर डी 01/टी-79]

जे. सी. अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन विभाग)

New Delhi, the 15th October, 2013

S.O. 2451.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. Title & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 16091: 2013 Measurement of Liquid Flow in Open Channels — Method of Specifying Performance of Hydrometric Equipment	—	30 Sep 2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvanthapuram.

[Ref. WRD01/T-79]

J.C. ARORA, Scientist 'F' & Head (Water Resources Deptt.)

नई दिल्ली, 15 अक्टूबर, 2013

का०आ० 2452.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं:-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आई एस 16102 (भाग 2) : 2012	1 सितम्बर, 2013	15 अक्टूबर, 2013

इस भारतीय संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली - 110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ ईटी 23/टी-98]

आर. सी. मैथ्यू, वैज्ञानिक 'एफ' एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 15th October, 2013

S.O. 2452.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Amendment	From which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 16102 (Part 2): 2012 SELF BALLASTED LED LAMPS FOR GENERAL LIGHTING SERVICES —PART 2 PERFORMANCE REQUIREMENTS	1, September, 2013	15 October, 2013

Copies of this Amendment are available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi - 110 002 and Regional Offices: Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvanthapuram.

[Ref. ET 23/T-98]

R.C. MATHEW, Scientist 'F' and Head (Electrotechnical)

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2453.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए हैं वे मानक स्थापित हो गए हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अधिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 9401 (भाग 20) : 2013 नदी घाटी परियोजनाओं में कार्य मापन की पद्धतियां (बांध और सम्बद्ध संरचनाएँ) भाग 20 संरक्षण कार्य	-	31-10-2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानक को <http://www.standardsbis.in> ऑनलाइन द्वारा खरीदा जा सकता है।

[संदर्भ डब्लू आर डी 23/टी-35]

जे० सी० अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन विभाग)

New Delhi, the 17th October, 2013

S.O. 2453.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. Title & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 9401 (Part 20) : 2013 Method of measurement of works in river vally projects (dams and appurtenant structures) Part 20 Protection works	-	31-10-2013

Copy of this Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. Indian Standards can be purchased from BIS sales portal <http://www.standardsbis.in>.

[Ref. WRD 23/T-35]

J.C. ARORA, Scientist 'F' & Head (Water Resources Deptt.)

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2454.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए हैं वे मानक स्थापित हो गए हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अधिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 11527: 2013 उत्प्लव मार्गों के ऊर्जा डिसिपेटर्स के संरचनात्मक डिजाईन - मापदण्ड (पहला पुनरीक्षण)	आई एस 11527: 1985	30-09-2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानक कों <http://www.standardsbis.in> ऑनलाइन द्वारा खरीदा जा सकता है।

[संदर्भ डब्लू आर डी 09/टी-20]

जे० सी० अरोड़ा, वैज्ञानिक 'एफ' एवं प्रमुख (जल संसाधन विभाग)

New Delhi, the 17th October, 2013

S.O. 2454.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. Title & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 11527 : 2013 Structural design of energy dissipators for spilways— Criteria (first revision)	IS 11527: 1985	30-09-2013

Copy of this Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. Indian Standards can be purchased from BIS sales portal <http://www.standardsbis.in>

[Ref. WRD 09/T-20]

J.C. ARORA, Scientist 'F' & Head (Water Resources Deptt.)

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2455.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिस मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अधिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
(1)	आई एस 1125 : 2013 प्राकृतिक निर्माण पत्थरों का अपक्षयन ज्ञात करना - परीक्षण पद्धति (दूसरा पुनरीक्षण)	आई एस 1125 : 1974	30 सितम्बर, 2013

इस भारतीय मानक की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा कोचि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 17th October, 2013

S.O. 2455.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which is given in the Schedule hereto annexed has been established on the date indicated against each:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
(1)	IS 1125 : 2013 Determination of weathering of natural building stones-Method of Test (Second revision)	IS 1125 : 1974	30 September, 2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2456.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:-

अनुसूची

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्ष	भा मा सं० (भाग/अनुभाग) : वर्ष
1.	4609365	01.07.2013	मैसर्स जियोन पम्पस एण्ड मोटर्स सं० 80-B1 & B2 & B3, कामधेनू नगर, के०आर० पुरम, कोयम्बतूर-641006	खुले कुओं के लिए निम्नजनीय पम्पसेट	IS 14220 : 1994
2.	4610249	05.07.2013	मैसर्स श्री विष्णु एक्वा फार्म 11 & 12, मेनका नगर, पनमतुर रोड, कोयम्बतूर-641039	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004
3.	4612960	12.07.2013	मैसर्स पी०टी०आर० एक्वा फार्म 1/372 J, राधा नगर, नल्लातुपालयम मुख्य सड़क, गौन्डानायकन पालयम (उत्तर), मन्नारै तालुक, तिरुप्पुर-641607	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004

1	2	3	4	5	6
4.	4613760	15.07.2013	मैसर्स इंदरोला स्टील रोलिंग मिल्स इंडिया लिमिटेड 28, मनियाकरनपालयम, इडिगारै पोस्ट, कोयम्बतूर-641022	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कॉर्बन, ढलवां इस्पात बिलेट इंगट, बिलेट, ब्लूम एवं स्लैब	IS 2830: 2012
5.	4614459	16.07.2013	मैसर्स एस आर एल वी इंजीनियरिंग 37/11E1, जयसिम्हा पुरम, के सी सी स्कूल के पास, पीएन पालयम, कोयम्बतूर-641037	अपकेन्द्रीय जेट पम्प	IS 12225: 1997
6.	4515764	19.07.2013	मैसर्स कोयम्बतूर फ्लो कंट्रोल्लस 1/50, पेरुमाल कोविल सड़क, कुन्नतूर पुदुर पोस्ट, कुन्नतूर, एस एस कुलम के रास्ते, कोयम्बतूर-641107	सामान्य उद्देश्यों के लिए बटरफ्लाई वाल्व	IS 13095: 1991
7.	4616564	24.07.2013	मैसर्स श्री महालक्ष्मी एक्वा फार्म्स 328/2C, करुप्परायर कोइल सड़क, वेलमपालयम, तिरुप्पुर-641652	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004
8.	4618265	30.07.2013	मैसर्स एस्टीम इंस्ट्रीस 211/1, नेताजी नगर, नन्तुन्दापुरम रोड, कोयम्बतूर-641036	निम्मजनीय पम्पसेट	IS 8034: 2002
9.	4621557	31.07.2013	मैसर्स एम एस के वी पम्प सं० 23, आन्डाल नगर, उप्पिलीपालयम पोस्ट, कोयम्बतूर-641015	खुले कुओं के लिए निम्मजनीय पम्पसेट	IS 14220 : 1994
10.	4624658	31.07.2013	मैसर्स एम एस के वी पम्प सं० 23, आन्डाल नगर, उप्पिलीपालयम पोस्ट, कोयम्बतूर-641015	निम्मजनीय पम्पसेट पम्पसेट	IS 8034 : 2002

[सं० सी एम डी/13:11]

एम० सदाशिवम, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi the 17th October, 2013

S.O. 2456.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulation, 1988 of the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name & Address (Factory) of the Party	Title of the Standard	IS No. Part/ Sec. Year
1.	4609365	01.07.2013	M/s. Zion Pumps and Motors No. 80-B1 & B2 & B3, Kamadhenu Nagar, K.R. Puram, Coimbatore-641006	Openwell Submersible Pumpsets	IS 14220 : 1994
2.	4610249	05.07.2013	M/s Sri Vishnu Aqua Farm 11 & 12, Menaka Nagar, Panamarathur Road, Coimbatore-641039	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543 : 2004
3.	4612960	12.07.2013	M/s PTR Aqua Farms 1/372 J, Radha Nagar, Nallathupalayam Main Road, Goundanaickaen Palayan (North) T. Mannarai, Tiruppur-641607	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543 : 2004
4.	4613760	15.07.2013	M/s Indrola Steel Rolling Mills India Ltd. 28, Maniyakaran Palayam, Idigarai Post, Coimbatore-641022	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830 : 2012
5.	4614459	16.07.2013	M/s. SRLV Engineering 37/11E1, Jayasimha Puram, Near KCC School, P.N. Palayam, Coimbatore-641037	Centrifugal jet pump	IS 12225 : 1997

1	2	3	4	5	6
6.	4615764	19.07.2013	M/s Coimbatore Flow Controls 1/50, Perumal Kovil Street, Kunnathur Pudhur Post, Kannathur, S.S. Kulam (Via), Coimbatore-641107	Butterfly valves for general purposes	IS 13095 : 1991
7.	4616564	24.07.2013	M/s Shri Mahalakshmi Aqua Farms 328/2C, Karupparayar Koil Street, Velampalayam, Tiruppur-641652	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543 : 2004
8.	4618265	30.07.2013	M/s Easteem Industries 211/1, Nethaji Nagar, Nanjundapuram Road, Coimbatore-641036	Submersible Pumpsets	IS 8034: 2002
9.	4621557	31.07.2013	M/s MSKV Pump No. 23, Andal Nagar, Uppilipalayam Post, Coimbatore-641015	Openwell Submersible Pumpsets	IS 14220 : 1994
10.	4624658	31.07.2013	M/s KSKV Pump No. 23, Andal Nagar, Uppilipalayam Post, Coimbatore-641015	Submersible Pumpsets	IS 8034 : 2002

[No. CMD/13 : 11]

M. SADASIVAM, Scientist 'F' & Head

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2457.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:-

अनुसूची

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्ष	भा मा सं० (भाग/अनुभाग) : वर्ष
1	2	3	4	5	6
1.	4620757	01/08/2013	मेसर्स विष्णु लक्ष्मी एक्वा प्रोडक्ट्स एस एफ सं. 82, दरवाजा सं. 1, कलिककानायकनपालयम गांव, तालियूर पंचायत, कोयम्बतूर-641007	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004
2.	4621254	01/08/2013	मेसर्स एक्वास्टार मोटर्स 15, भारत नगर, चेट्टियार तोट्टम, नीलीकोनमपालयम पोस्ट, कोयम्बतूर-641033	स्वच्छ ठंडे पानी के लिए अपकेन्द्रीय पुनरुत्पादक पम्प	IS 8472 : 1998
3.	4622559	05/08/2013	मेसर्स अतिशिवन स्टील्स प्रायवेट लिमिटेड 622/1, वरापट्टी गांव, वेलप्पानायकनपालयम पोस्ट, सुलूर तालुक, कोयम्बतूर-641402	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कॉर्बन, ढलवां इस्पात बिलेट इंगट, बिलेट, ब्लूम एवं स्लैब	IS 2830 : 2012
4.	4622660	05/08/2013	मेसर्स रंगा एलॉय्स एस एफ सं. 337 - 338, चिन्नाकल्लीपट्टी गांव, सिरुमुगै पोस्ट, मेट्टपालयम तालुक कोयम्बतूर-641302	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कॉर्बन, ढलवां इस्पात बिलेट इंगट, बिलेट, ब्लूम एवं स्लैब	IS 2830 : 2012
5.	4622862	06/08/2013	मेसर्स रेइन ड्रॉप्स आर ओ वाटर प्रायवेट लिमिटेड सं. 7/1बी, कीरनतम रोड, सरवनमपट्टी, कोयम्बतूर-641035	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004

1	2	3	4	5	6
6.	4623157	06/08/2013	मेसर्स के.के.एस. एक्वा इंडस्ट्रीस सर्वे सं० 16/1, अन्ना नगर पूर्व, कामराज नगर, नेरुपेरिचल गांव, तिरुप्पुर-641602	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004
7.	4624159	07/08/2013	मेसर्स हैड्रालाइन इंडस्ट्रीस (सी.आर.आई. पम्पस प्राइवेट लिमिटेड का यूनिट) सं० 43/17, आवारमपालयम रोड, गणपति रोड, कोयम्बतूर-641006	कृषि एवं जल आपूर्ति के लिए बिजली के मोनोसेट पम्पस	IS 9079 : 2002
8.	4624664	07/08/2013	मेसर्स टोनसन इंडस्ट्रीस प्राइवेट लिमिटेड 11/10ए, वेल्लै विनायगर तोट्टम, दीपा मिल रोड, गोल्डविन्स, सिविल ऐरॉड्रोम पोस्ट, कोयम्बतूर-641014	अपकेन्द्रीय जेट पम्प	IS 12225 : 1997
9.	4625565	08/08/2013	मेसर्स टी एस आर मिनरल वाटर्स एस एफ सं० 518, कालयनूर, पी.एन. पालयम, 24, वीरापान्डी, कोयम्बतूर-641108	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004
10.	4625666	08/08/2013	मेसर्स ईश्वरी मिनरल्स दरवाजा सं० 1/339-1, ऊतुकुली रोड, चेन्नापल्ली, अविनाशी, तिरुप्पुर-638812	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा)	IS 14543 : 2004
11.	4629068	19/08/2013	मेसर्स रोटर पवर प्राइवेट लिमिटेड 2, शोभा नगर, दूसरा सड़क, आवारमपालयम, कोयम्बतूर-641006	स्वच्छ ठंडे पानी के लिए अपकेन्द्रीय पुनरुत्पादक पम्प	IS 8472 : 1998
12.	4630659	20/08/2013	मेसर्स पूजा इम्पेक्स 112-सी, एस.एस.पी. नगर, रासमपालयम, पेरिया सेमूर, ईरोड-638004	घरेलू प्रेशर कुकर	IS 2347 : 2006
13.	4630760	20/08/2013	मेसर्स सुरभि आयर्न एण्ड स्टील कंपनी प्राइवेट लिमिटेड एस एफ सं० 41/3, एम.जी.सी. पालयम, कुरुकमपालयम पोस्ट, गणेशपुरम, कोयम्बतूर-641107	सामान्य संरचना इस्पात में पुनर्विल्लन के लिए कॉर्बन, ढलवां इस्पात बिलेट इंगट, बिलेट, ब्लूम एवं स्लेब	IS 2830 : 2012
14.	4632158	22/08/2013	मेसर्स टेक्समो इंडस्ट्रीस (पम्प डिविजन-2) सं० 4/133ए, पन्निमडै रोड, के. वडामदुरै, कोयम्बतूर-641017	निम्मजनीय पम्पसेट	IS 8034 : 2002
15.	4632057	22/08/2013	मेसर्स वेल पम्पसेट्स 66ए/67ए, अतिपालयम रोड, गणपति, कोयम्बतूर-641006	खुले कुओं के लिए निम्मजनीय पम्पसेट	IS 14220 : 1994
16.	4633564	26/08/2013	मेसर्स एलेन इंडस्ट्रीस प्राइवेट लिमिटेड एस एफ सं० 275, अविनाशि रोड, सुलूर ब्लॉक, अरसूर, कोयम्बतूर-641407	निम्मजनीय पम्पसेट	IS 8034 : 2002

[सं सी एम डी/13:11]

एम. सदाशिवम, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 17th October, 2013

S.O. 2457.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name & Address (Factory) of the Party	Title of the Standard	IS No. Part/ Sec. Year
1	2	3	4	5	6
1.	4620757	01/08/2013	M/s. Visnu Laxmi Aqua Products S.F. No. 82, Door No. 1, Kalikkanaickenpalayam (Village) Thaliyur Panchayat Coimbatore-641007	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543:2004
2.	4621254	01/08/2013	M/s. Aquastar Motors 15, Bharath Nagar, Chettiar Thottam, Neelikonampalayam Post, Coimbatore-641033	Centrifugal Regenerative Pumps for clear, Cold Water	IS 8472: 1998
3.	4622559	05/08/2013	M/s. Athisivan Steels Pvt. Ltd. 622/1, Varappatti Village, Velappanaicken Palayam (P.O.), Sulur Taluk, Coimbatore-641402	Carbon steel cast billet ingots, Billets, Blooms and Slabs for re-rolling into steel for general	IS 2830: 2012
4.	4622660	05/08/2013	M/s. Rangga Alloys SF No. 337 & 338, Chinnakallipatti Village, Sirumugai Post, Mettupalayam (TK), Coimbatore-641302	Carbon steel cast billet ingots, Billets, Blooms and Slabs for re-rolling into steel for general structural purposes	IS 2830: 2012
5.	4622862	06/08/2013	M/s. Rain Dropps RO Water Private Limited No. 7/1B, Keeranatham Road, Saravanampatti, Coimbatore-641035	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543: 2004
6.	4623157	06/08/2013	M/s. K.K.S. Aqua Industries Sur. No. 16/1, Anna Nagar East, Kamaraj Nagar, Neruperichal Village, Tiruppur-641602	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543: 2004
7.	4624159	07/08/2013	M/s. Hydraline Industries (Unit of C.R.I. Pumps Private Limited) No. 43/17, Avarampalayam Road, Ganapathy, Coimbatore-641006	Electric Monoset Pumps for clear, Cold Water for Agricultural and Water Supply purposes	IS 9079: 2002
8.	4624664	07/08/2013	M/s. Tonsan Industries Private Limited 11/10A, Vellai Vinaynagar Thottam, Deepa Mill Road, Goldwins, Civil Aerodrome Post, Coimbatore-641014	Centrifugal Jet Pump	IS 12225: 1997
9.	4625565	08/08/2013	M/s. TSR Mineral Waters S.F. No. 518, Kalayanur, P. N. Palayam, 24, Veerapandi, Coimbatore-641108	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543: 2004
10.	4625666	08/08/2013	M/s. Eswari Minerals D. No. 1/339-I, Uttukuli Road, Chengappalli, Avinashi, Tiruppur-638812	Packaged Drinking Water (other than Packaged Natural Mineral Water)	IS 14543: 2004
11.	4629068	19/08/2013	M/s. Rotor Power Private Limited 2, Shobha Nagar, 2nd Street, Avarampalayam, Coimbatore-641006	Centrifugal Regenerative Pumps for clear, Cold Water	IS 8472: 1998
12.	4630659	20/08/2013	M/s. Pooja Impex 112-C, S.S.P. Nagar Rasampalayam, Periya Semur, Erode-638004	Domestic Pressure Cooker	IS 2347: 2006

1	2	3	4	5	6
13.	4630760	20/08/2013	M/s. Surabhi Iron and Steel Company Private Limited SF. No. 41/3, M.G.C. Palayam, Kurukampalayam (P.O.), Ganeshapuram, Coimbatore-641107	Carbon steel cast billet ingots, Billets, Blooms and Slabs for re-rolling into steel for general structural purposes	IS 2830: 2012
14.	4632158	22/08/2013	M/s. Texmo Industries (Pump Division-II) No. 4/133A, Pannimadai Road, K. Vadamadurai, Coimbatore-641017	Submersible Pumpsets	IS 8034: 2002
15.	4632057	22/08/2013	M/s. Vel Pumpsets 66A/67A, Athipalayam Road, Ganapathy, Coimbatore-641006	Openwell Submersible Pumpsets	IS 14220: 1994
16.	4633564	26/08/2013	M/s. Ellen Industries Private Limited S.F. No. 275, Avinashi Road, Sulur Block, Arasur, Coimbatore-641407	Submersible Pumpsets	IS 8034: 2002

[No. CMD/13 : 11]

M. SADASIVAM, Scientist 'F' & Head

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2458.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं:

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या, वर्ष और शीर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आई एस 14269:1995 स्वचल वाहन-समग्र पॉवर स्टीयरिंग गियर-परीक्षण पद्धति	संशोधन संख्या 1, सितंबर 2013	तत्काल प्रभाव से
2	आई एस 15428:2004 विमान के लिए रेडियल/क्रॉस प्लाय टायरों की रिट्रीडिंग-विशिष्टि	संशोधन संख्या 1, सितंबर 2013	तत्काल प्रभाव से
3	आई एस 15796:2008 स्वचलन वाहन-हॉर्न संस्थापन की अपेक्षाएँ	संशोधन संख्या 2, सितंबर 2013	तत्काल प्रभाव से
4	आई एस 11849:1986 स्वचलित वाहनों के गुरुत्व-केंद्र ज्ञात करने की पद्धति	संशोधन संख्या 1, सितंबर 2013	तत्काल प्रभाव से

संशोधन की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे, परवाणु, देहरादून तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ टी ई डी/जी-16]

पी० सी० जोशी, वैज्ञानिक 'एफ' एवं प्रमुख (टी ई डी)

New Delhi, the 17th October, 2013

S.O. 2458.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No., year & title of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	14269:1995 Automotive vehicles-Integral power steering gear-Method of test	Amendment No. 1, Sept. 2013	With immediate effect
2	15428:2004 Retreading of radial/corss ply tyres for aircraft-Specification	Amendment No. 1, Sept. 2013	With immediate effect
3	15796:2008 Automotive vehicles-Horn installation-Requirements	Amendment No. 2, Sept. 2013	With immediate effect
4	11849:1986 Method of determination of centre of gravity of automotive vehicles	Amendment No. 1, Sept. 2013	With immediate effect

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Parwanoo, Dehradun, Thiruvananthapuram.

[Ref. TED/G-16]

P.C. JOSHI, Scientist 'F' & Head (Transport Engg.)

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2459.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	4690:2013 बॉय शॅकल-विशिष्ट (पहला पुनरीक्षण)	—	सितंबर 2013
2	11086:2013 स्वचल अनुप्रयोग के लिए स्पीडोमीटर/ओडोमीटर पद्धति-विशिष्ट (पहला पुनरीक्षण)	—	सितंबर 2013
3	13602:2013 स्वचल वाहन-उपकरण तंत्र-ताप गेज यांत्रिक टाइप-विशिष्ट (पहला पुनरीक्षण)	—	सितंबर 2013
4	16009:2013 सड़क वाहन-द्रवित पेट्रोलियम गैस (एलपीजी) सापेक्ष उपस्कर-शट ऑफ वाल्व	—	सितंबर 2013
5	16053:2013 सड़क वाहन-द्रवित पेट्रोलियम गैस (एलपीजी) सापेक्ष उपस्कर-नियंत्रक एवं वाष्पक	—	सितंबर 2013
6	16062:2013 सड़क वाहन-द्रवित पेट्रोलियम गैस (एलपीजी) सापेक्ष उपस्कर-दाब एवं/या तापमान सेंसर	—	सितंबर 2013
7	16063:2013 सड़क वाहन-द्रवित पेट्रोलियम गैस (एलपीजी) सापेक्ष उपस्कर-एलपीजी फिल्टर यूनिट	—	सितंबर 2013
8	16064:2013 सड़क वाहन-द्रवित पेट्रोलियम गैस (एलपीजी) सापेक्ष उपस्कर-गैस मिक्सिंग पीस	—	अक्टूबर 2013

(1)	(2)	(3)	(4)
9	16065:2013 सड़क वाहन-द्रवित पेट्रोलियम गैस (एलपीजी) सापेक्ष उपस्कर-ईंधन रेल	-	सितंबर 2013
10	16055:013 मैरिन उद्योग हेतु कॉपर एलॉय वाल्व-फेस टू फेस और केन्द्र से फेस की दूरियां	-	अक्टूबर 2013
11	16058:2013 भंडारण अनुप्रयोगों के लिए पुनर्प्रयुक्त प्लास्टिक अपशिष्टों से निर्मित डनेज पैलेट-विशिष्ट	-	सितंबर 2013
12	11852:2013 स्वचल वाहन-ब्रेकिंग संबंधी एम एन और टी श्रेणी के वाहनों की स्वीकृति से संबद्ध एक समान प्रावधान दूसरा पुनरीक्षण	आइ एस 11852 (भाग 1 से 9): 2001 का सम्मेलन	अक्टूबर 2013

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ टी ई डी/जी-16]

पी० सी० जोशी, वैज्ञानिक 'एफ' एवं प्रमुख (टी ई डी)

New Delhi, the 17th October, 2013

S.O. 2459.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. Year & Title of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	4690:2013 Buoy shackles-Specification (First Revision)	-	September 2013
2	11086:2013 Speedometer/odometer systems for automotive application-Specification (First Revision)	-	September 2013
3	13602:2013 Automotive vehicles-Instrument systems-Temperature gauges mechanical types-Specification (First Revision)	-	September 2013
4	16009:2013 Road vehicles-Liquefied petroleum gas (LPG)-Specific equipment-Shut off valve	-	September 2013
5	16053:2013 Road vehicles-Liquefied petroleum gas (LPG)-Specific equipments-Pressure regulator and vapourizer	-	September 2013
6	16062:2013 Road vehicles-Liquefied petroleum gas (LPG)-Specific equipment-Pressure and/or temperature sensor	-	September 2013
7	16063:2013 Road vehicles-Liquefied petroleum gas (LPG)-Specific equipment-LPG Filter unit	-	September 2013
8	16064:2013 Road vehicles-Liquefied petroleum gas (LPG)-Specific equipment-Gas mixing piece	-	October 2013
9	16065:2013 Road vehicles-Liquefied petroleum gas (LPG)-Specific equipment-Fuel rail	-	September 2013
10	16055:2013 Copper alloy valves for marine industry-Face to face & centre to face distances	-	October 2013
11	16058:2013 Dunnage pallets made from recycled plastic wastes for warehousing applications-Specification	-	September 2013

(1)	(2)	(3)	(4)
12	11852:2013 Automotive vehicles-Uniform provisions concerning the approval of vehicles of categories M, N and T with regard to braking (Second Revision)	Amalgamating IS 11852 (Pt 1 to 9) : 2001	October 2013

Copy of these Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. TED/G-16]

P.C. JOSHI, Scientist 'F' & Head (Transport Engg.)

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2460.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियमन 5 के उप-विनियमन (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शाई गई तारीख से रद्द/स्थगित कर दिया गया है:

अनुसूची

क्र० सं०	लाइसेंस सं० सी एम/एल—	लाइसेंसधारी का नाम व पता	स्थगित किए गए/रद्द किए गए लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द होने की तिथि
1	4559679	मैसर्स निर्मल पम्पस (प्रा) लिमिटेड एस एफ सं० 434, विलन्कुरिची रोड, तन्नीर पन्डल (के पास), कोयम्बतूर-641004	कृषि एवं जल आपूर्ति के लिए बिजली के मोनोसेट पम्पस, IS 9079: 2002	14/08/2013

[सं. सी एम डी/13:13]

एम० सदाशिवम, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 17th October, 2013

S.O. 2460.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations, 1988, of the Bureau of Indian Standards, hereby notifies that the licence particulars of which are given below have been cancelled/suspended with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licence No. CM/L—	Name & Address of the Licensee	Article/Process with relevant Indian Standard covered by the licence cancelled/suspension	Date of Cancellation
1.	4559679	M/s. Nirmal Pumps (Pvt) Ltd. SF No. 434, Vilankurichi Road, (Near) Thanneer Pandhal, Coimbatore-641004	Electric Monoset Pumps for clear, cold water for agricultural and water supply purposes, IS 9079: 2002	14/08/2013

[No. CMD/13:13]

M. SADASIVAM, Scientist 'F' & Head

नई दिल्ली, 17 अक्टूबर, 2013

का०आ० 2461.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियमन 5 के उप-विनियमन (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शाई गई तारीख से रद्द/स्थगित कर दिया गया है:—

अनुसूची

क्र० सं०	लाइसेंस सं० सी एम/एल-	लाइसेंसधारी का नाम व पता	स्थगित किए गए/रद्द किए गए लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द होने की तिथि
1	6963494	मेसर्स लक्ष्मी वाटर प्रोडक्ट्स No. 1/193, बिलीची पोस्ट, पेरियमतमपालयम, कोयम्बतूर-641019	पैकेजबंद पेय जल (पैकेजबंद मिनरल जल के अलावा) IS 14543: 2004	17/07/2013

[सं. सी एम डी/13:13]

एम० सदाशिवम, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 17th October, 2013

S.O. 2461.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies that the licence particulars of which are given below have been cancelled/suspended with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licence No. CM/L-	Name & Address of the Licensee	Article/Process with relevant Indian Standard covered by the licence cancelled suspension	Date of Cancellation
1.	6963494	M/s. Lakshmi Water Products No. 1/193, Bilichi Post, Periyamatham Palayam, Coimbatore-641019	Packaged Drinking Water (other than Packaged Natural Mineral Water), IS 14543: 2004	17/07/2013

[No. CMD/13:13]

M. SADASIVAM, Scientist 'F' & Head

नई दिल्ली, 17 दिसम्बर, 2013

का०आ० 2462.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:—

अनुसूची

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा मा सं० (भाग/अनुभाग) : वर्ष
1	2	3	4	5	6
1.	4641462	2013-09-11	मेसर्स चीनू अम्मा आलोक (प्रा०) लिमिटेड सं० 379-380, मारिअम्मन कोइल सड़क, पीलमेडु पुदुर, कोयम्बतूर-641004	सामान्य संरचना में पुनर्वैल्लन के लिए कॉर्बन, ढलवाँ इस्पात इंगट, बिलेट, ब्लूम एवं स्लैब	IS 2830 : 2012
2.	4642666	2013-09-13	मेसर्स बालाजी पी वी सी पाइप्स 2/155-2 गणेशपुरम, करुक्कमपालयम पोस्ट, अविनाशि, तिरुप्पुर-641654	पेयजल आपूर्ति के लिए उच्च घनत्व वाले पॉलीएथिलीन पाइप्स	IS 4984 : 1995
3.	4643870	2013-09-13	मेसर्स प्रिया निट फेब्स एस एफ सं० 360/बी-2, धारापुरम मुख्य सड़क, को० चेट्टीपालयम, तिरुप्पुर-641608	सूती का बुना हुआ क्रीडा कमीज़	IS 4375 : 1975
4.	4642363	2013-09-13	मेसर्स श्री पलनी आन्डवर एलॉय्स एण्ड स्टील्स प्रायवेट लिमिटेड एस एफ 304/1, 2:305/1, चेन्निमलै गाँव, पेरुंदुरै तालुक, ईरोड-638051	सामान्य संरचना इस्पात में पुनर्वैल्लन के लिए कॉर्बन, ढलवाँ इस्पात बिलेट इंगट, बिलेट ब्लूम एवं स्लैब	IS 2830 : 2012

1	2	3	4	5	6
5.	4642565	2013-09-16	मेसर्स श्री चेट्टिनाड सिमेंट कॉर्पोरेशन लिमिटेड सिमेंट पैकिंग एवं बल्क टर्मिनल एस एफ सं० 21/2B2 मदुक्करै गाँव, कोयम्बतूर-641105	पोर्टलैन्ड पॉज्जोलाना सिमेंट- भाग I - फलैश आधारित	IS 1489 (भाग 1) : 1991
6.	4645066	2013-09-20	मेसर्स रोयल इंडस्ट्रीस एस एफ सं० 281/1B, एन जी आर नगर, पानी टंकी के सामने, विलंकुरिची मुख्य सड़क, पीलमेडु, कोयम्बतूर-641004	खुले कुओं के लिए निम्नजनीय पम्पसेट	IS 14220 : 1994
7.	4645470	2013-09-24	मेसर्स लौरा पम्प सं० 119-A, मुनियप्पन कोविल तोट्टम, गणपति पोस्ट, कोयम्बतूर-641006	स्वच्छ ठंडे पानी के लिए अपकेन्द्रीय पुनरुत्पादक पम्प	IS 8472 : 1998
8.	4645369	2013-09-24	मेसर्स लौरा पम्प सं० 119- I, मुनियप्पन कोविल तोट्टम, गणपति पोस्ट, कोयम्बतूर-641006	कृषि एवं जल आपूर्ति के लिए बिजली के मोनोसेट पम्प	IS 9079 : 2002
9.	4645571	2013-09-24	मेसर्स लौरा पम्प सं० 119-A, मुनियप्पन कोविल तोट्टम, गणपति पोस्ट, कोयम्बतूर-641006	खुले कुओं के लिए निम्नजनीय पम्पसेट	IS 14220 : 1994
10.	4646371	2013-09-27	मेसर्स चेट्टिनाड सिमेंट कॉर्पोरेशन लिमिटेड सिमेंट पैकिंग एवं बल्क टर्मिनल एस एफ सं० 21/2B2 मदुक्करै गाँव, कोयम्बतूर-641105	साधारण पोर्टलैन्ड सिमेंट 43 ग्रेड	IS 8112 : 1989
11.	4646472	2013-09-27	मेसर्स आर्या सिमेंट्स 20/1, पल्लडम रोड, महालिंगपुरम पोस्ट, पोल्लाची तालुक, कोयम्बतूर-642002	पोर्टलैन्ड पॉज्जोलाना सिमेंट- भाग I-फलैश आधारित	IS 1489 (भाग 1) : 1991

[सं० सी एम डी/13 : 11]

एम० सदाशिवम, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 17th October, 2013

S.O. 2462.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name & Address (Factory) of the Party	Title of the Standard	IS No. Part/ Sec. Year
1	2	3	4	5	6
1.	4641462	2013-09-1	M/s. Cheenu Amma Alloy (P) Ltd. No. 379-380, Mariamman Koil Street, Peelamedu Pudur. Coimbatore-641004	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830 : 2012
2.	4642666	2013-09-13	M/s. Balaji PVC Pipes 2/155-2, Ganeshapuram, Karukkampalayam (P.O.), Avinashi, Tiruppur-641654	HDPE pipes for water supply	IS 4984 : 1995
3.	4643870	2013-09-13	M/s. Priyaa Knit Faabs SF No. 360/B-2, Dharapuram Main Road, K. Chettipalayam, Tiruppur-641608	Cotton Knitted Sports Shirts	IS 4375 : 1975

1	2	3	4	5	6
4.	4642363	2013-09-13	M/s. Sree Palani Andavar Alloys and Steels Pvt. Ltd., S.F. 304/1,2:305/1, Chennimalai Village, Perundurai (Tk), Erode-638051	Carban steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830 : 2012
5.	4642565	2013-09-16	M/s. Chettinad Cement Corporation Ltd., Cement Packing & Bulk Terminal S.F. No. 21/2B2 Madukkarai Village, Coimbatore-641105	Portland Pozzolana Cement- Part 1-Flyash based	IS 1489 (Part 1) : 1991
6.	4642066	2013-09-20	M/s. Royal Industries S.F. No. 281/1B, NGR Nagar, Opp: Water Tank, Villankurichi Main Road, Peelamedu, Coimbatore-641004	Openwell Submersible Pumpsets	IS 14220 : 1994
7.	4645470	2013-09-24	M/s. Laura Pumps No. 119-A, Muniappan Kovil Thottam, Ganapathy (P.O.), Coimbatore-641006	Centrifugal Regenerative Pumps for clear, cold water	IS 8472 : 1998
8.	4645369	2013-09-24	M/s. Laura Pumps No. 119-A, Muniappan Kovil Thottam, Ganapathy (P.O.), Coimbatore-641006	Electric Monoset Pumps for clear, cold water for agricultural and water supply purposes	IS 9079 : 2002
9.	4645571	2013-09-24	M/s. Laura Pumps No. 119-A, Muniappan Kovil Thottam, Ganapathy (P.O.), Coimbatore-641006	Openwell Submersible Pumpsets	IS 14220 : 1994
10.	4646371	2013-09-27	M/s. Chettinad Cement Corporation Ltd. Cement Packing & Bulk Terminal SF. No. 21/2B2 Madukkarai Village, Coimbatore-641105	Ordinary Portland Cement 43 Grade	IS 8112 : 1989
11.	4646472	2013-09-27	M/s. Arya Cements 20/1, Palladamm Road, Mahalinga Puram-Post Pollachi (Tk), Coimbatore-642002	Portland Pozzolana Cement- Part 1-Flyash based	IS 1489 (Part 1) : 1991

[No. CMD/13:11]

M. SADASIVAM, Scientist 'F' & Head

नई दिल्ली, 23 अक्टूबर, 2013

कांआ 2463.—भारतीय मानक ब्यूरो 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्थापित हो गए हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 14169 : 2013 संभरकों के प्रारूप चयन को सिफारिशें (पहला पुनरीक्षण)	—	तुरन्त
2.	आईएस 6044 (भाग 1) : 2013 द्रवित पेट्रोलियम गैस भंडारण संयंत्र-रीति संहिता: भाग 1 आवासीय, वाणिज्यिक और औद्योगिक सिलिंडर संयंत्र (दूसरा पुनरीक्षण)	—	तुरन्त

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

[संदर्भ एम ई डी/जी-2:1]

तेजवीर सिंह, वैज्ञानिक 'एफ' एवं प्रमुख (यांत्रिक इंजिनियरिंग)

New Delhi, the 23rd October, 2013

S.O. 2463.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards, hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 14169 : 2013 Recommendations for type selection of feeders (first revision)	—	With immediate effect
2.	IS 6044 (Part 1) : 2013 Liquefied petroleum gas storage installations- Code of practice: Part 1 Residential, commercial and industrial cylinder installations (second revision)	—	With immediate effect

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. On-line purchase of Indian Standard can be made at: <http://www.standardsbis.in>

[Ref. MED/G-2:1]

T.V. SINGH, Scientist 'F' & Head (Mechanical Engineering)

नई दिल्ली, 23 अक्टूबर, 2013

का०आ० 2464.—भारतीय मानक ब्यूरो 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(को) में संशोधन किया गया/किए गए हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या, वर्ष और शीर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आईएस 6452 : 1989	संशोधन संख्या 5, जुलाई 2013	08 अक्टूबर, 2013

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9ए बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा कोची में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 23rd October, 2013

S.O. 2464.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards, hereby notifies that amendment to the Indian Standard, particulars of which are given in the Schedule below, has been issued:

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 6452 : 1989	Amendment No. 5, July 2013	08 October, 2013

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices at Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna & Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 23 अक्टूबर, 2013

का०आ० 2465.—भारतीय मानक ब्यूरो 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिस मानक का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गया हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 16073 : 2013 बांस-पटसन कंपोजिट के पल्ले के दरवाजों के शटर -विशिष्ट	—	31-10-2013

इस भारतीय मानक की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा कोच्चि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 23rd October, 2013

S.O. 2465.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards, hereby notifies that the Indian Standard, particulars of which are given in the Schedule hereto annexed have been established on the date indicated it:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 16073 : 2013 Bamboo-Jute Composite Panel Door Shutter-Specification	—	31-10-2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 23 अक्टूबर, 2013

का०आ० 2466.—भारतीय मानक ब्यूरो नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 269:2013 साधारण पोर्टलैंड सीमेंट, 33 ग्रेड-विशिष्ट (पाँचवां पुनरीक्षण)	आई एस 269:1989	28 अक्टूबर, 2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली 110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा कोची में बिक्री हेतु उपलब्ध है।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 23rd October, 2013

S.O. 2466.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standard, particulars of which are given in the Schedule below has been established on the date indicated against it:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established ad Title	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 269:2013 Ordinary Portland Cement, 33 Grade-Specification (Fifth revision)	IS 269:1989	28 October, 2013

Copy of the Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and its Regional Offices: Kolkata, Chandigarh, Chennai, Mumbai and also Brach Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagapur, Patna, Pune and Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 23 अक्टूबर, 2013

का०आ० 2467.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गये हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, तो संख्या और वर्ष	स्थापित होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 12147:2013 आर्द्र चुंबकीय कण परीक्षण की अनुशंसित रीति (पहला पुनरीक्षण)	आई एस 12147:1987	30 सितम्बर, 2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफ़र मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एमटीडी 21/टी-43]

पी० घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 23rd October, 2013

S.O. 2467.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here to annexed have been established on the date indicated against each:—

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 12147:2013 Recommended practice for wet magnetic particle examination (<i>first revision</i>)	IS 12147:1987	30 September, 2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagapur, Patna, Pune, Thiruvananthapuram.

[Ref. MTD 21/T-43]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2468.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 5 के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे रद्द कर दिए गए हैं:—

अनुसूची

क्र० सं०	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द करने की तिथि
1	2	3	4	5
1.	7581182	पर्ल इलेक्ट्रीकल्स इण्डस्ट्रीज प्रा० लि० जी-2 और 3 मिलेनियम इण्डस्ट्रीयल इस्टेट, दाभेल, दमण एवं दीव-396210	भा० मा० 3854 : 1997 घरेलू और समान प्रयोजनों के लिए स्विचे	18/07/2013

1	2	3	4	5
2.	7581788	पर्ल इलेक्ट्रीकल्स इण्डस्ट्रीज प्रा० लि० जी-2 और 3 मिलेनियम इण्डस्ट्रीयल इस्टेट, दाभेल, दमण एवं दीव-396210	भा०मा० 1293:2005 250 वोल्टता और 16 एम्पीअर्स तक रेटित धारा के प्लगस और सॉकेट	22/08/2013
3.	7829495	पॉलीकॉब वायर इण्डस्ट्रीज सर्वे सं० 353/1 और 2, विलेज काचीगाम, काचीगाम, जिला दमण, दमण एवं दीव - 396210	भा०मा० 694:1990 1100 वो तक एवं सहित कार्यकारी वोल्टता के लिए पी वी सी रोधित केबल	05/08/2013
4.	7885913	पदमावती वायर एण्ड केबल्स प्रा० लि० गेट सं० 194, तानसा फार्मस विलेज नारे, वाडा भिवंडी रोड, तालुका वाडा, जिला थाणे - 421303	भा०मा० 1554 (भाग 1) : 1988 पी वी सी रोधित (भारी ड्युटी) विद्युत केबल: भाग 1,100 वोल्ट कार्यकारी वोल्टता तक व सहित के लिए	05/08/2013
5.	0821646	केईसी इंटरनेशनल लि० पोखरन रोड नं० 2, पी०बी० नं० 11, थाणे - 400601	भा०मा० 7098: भाग 2: 1985 3.3 किवा से 33 किवा तक कार्यकारी वोल्टता तक के लिए ब्रसलिंगड पॉलीथिलीन आवरित विद्युतरोधी केबल	05/08/2013
6.	7229572	प्रिन्स इण्डस्ट्रीज बिल्डिंग सं०बी, प्लाट सं० 770, महारानी उद्योग इस्टेट के पीछे सोमनाथ रोड, दमण, दमण एवं दीव -396210	भा०मा० 3854:1997 घरेलू और समान प्रयोजनों के लिए स्विचे	22/08/2013
7.	7280673	कुदन इण्डस्ट्रीज गाला नं० 13 और 14 गीता इण्डस्ट्रीयल इस्टेट, बिल्डिंग नं० 3, सातीवली रोड, वसई पूर्व जिला थाणे महाराष्ट्र-401208	भा०मा० 1293:2005 250 वोल्टता और 16 एम्पीअर्स तक रेटित धारा के प्लगस और सॉकेट-	22/08/2013
8.	7032149	कोना इण्डस्ट्रीज 10 से 13 गांधी इण्डस्ट्रीयल इस्टेट, सफेद पूल, साकी नाका, अंधेरी कुर्ला रोड मुंबई-400072	भा०मा० 371: 1999 सीलिंग रोज-विशिष्ट	23/08/2013
9.	7794102	शुभम इण्डस्ट्रीज, डी 59, पहला माला, स्पान इण्डस्ट्रीयल काम्प्लेक्स, छादरा चेक पोस्ट के पास, छादरा नगर हवेली-396191	भा०मा० 4250:1980 बिजली के घरेलू खादय मिक्सर (द्रवीपरक और ग्राइडर)	28/08/2013
10.	7231256	एलपाइन इलेक्ट्रीकल मैनुफक्चरिंग कं० प्रा० लि० श्री गणेश इण्डस्ट्रीयल इस्टेट, प्लाट सं० 360/6 व 362/6, काचीगाम, दमण एवं दीव -396210	भा०मा०/आयईसी 60079/भाग- 12007 एक्सप्लोसिव डेटमैस्फिअर्स-भाग-1 एलेमप्रूफ इनक्लोजर 'डी' द्वारा उपस्कर संरक्षा	29/08/2013
11.	3768784	अपेक्स कंज्यूमर प्रा० लि० प्लाट सं० 29, पो०आ० कांजुर गाँव रोड, ब्रेसेंट इण्डस्ट्रीयल इस्टेट के सामने, कांजुर मार्ग पूर्व मुंबई-400042	भा०मा० 4250:1980 बिली के घरेलू खादय मिक्सर (द्रवीपरक और ग्राइडर)	27/09/2013

[सं० केन्द्रीय प्रमाणन विभाग/13:13]

ए०एस० जामखिंडीकर, वैज्ञानिक 'एफ' एवं प्रमुख (एम डी एम-III)

New Delhi, the 24th October, 2013

S.O. 2468.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given in the following schedule have been cancelled with effect from the date indicated against each:—

SCHEDULE

Sl. No.	Licence No.	Name & Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence	Date of Cancellation
1	2	3	4	5
1.	7581182	Pearl Electrical Ind. Pvt. Ltd. G-2&3 Millenium Industrial Estate, Daman Distt:Daman Daman & Diu -396210	IS 3854:1997 Switches for domestic and similar purposes	18/07/2013
2.	7581788	Pearl Electrical Ind. Pvt. Ltd. G-2&3 Millenium Industrial Estate, Daman Distt:Damann Daman & Diu -396210	IS 1293:2005 Plugs and socket outlets of 250 volts and rated current up to 16 amperes	22/07/2013
3.	7829495	Polycab Wires Industries Pvt. Ltd. SR. No. 353/1&2, Village Kachigam, Kachigam Distt:Daman Daman & Diu-396210	IS 694:1990 PVC Insulated cables for working voltages upto and including 1100 V as per IS 694:1990	05/08/2013
4.	7885913	Padmavati Wire & Cables Pvt. Ltd. Gut No. 194, Tansa Farm, Village Nare, Wada-Bhivandi Road, Taluka Wada, Distt Thane-421303	IS 1554:part 1:1988 PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1100 V	05/08/2013
5.	0821646	KEC International Limited Pokhran Road No. 2, P.B. No. 11 Thane,-400601	IS 7098: Part 2:1985 crosslinked polyethylene insulated pvc sheathed cables : part 2 for working voltages from 3.3 kv upto and including 33 kv	05/08/2013
6.	7229572	Prism Industries Bldg. No B, Plot 770, B/H Maharani Udyog Estate, Somnath Road, Daman Daman & Diu-396210	IS 3854:1997 Switches for domestic and similar purposes	22/08/2013
7.	7280673	Kundan Industires Gala No. 13 & 14 Geeta Indl. Estate, building No. 3, Sativali Road, Vasai East Distt. Thane Maharashtra-401208	IS 1293:2005 Plugs and socket outlets of 250 volts and rated current up to 16 amperes	22/08/2013
8.	7032149	Cona Enterprise 10 to 13 Gandhi Indl. Estate, Safed Pool, Kurla Andheri Road, Saki Naka, Mumbai-400072	IS 371: 1999 Ceiling Roses	23/08/2013
9.	7794102	Shubham Industries D-59, 1st Floor, Span Indl. Complex, Nr. Dadra Checkpost, Dadra (U.T) Distt: Dadra and Nagar Haveli-396230	IS 4250:1980 Domestic Electric Food-Mixers (Liquidizes and Grinders) as per IS 4250:1980	28/08/2013

1	2	3	4	5
10.	7231256	Alpine Electrical MFG. Co. Pvt. Ltd. Shree Ganesh Industrial Estate, Plot No. 360/6& 362/6, Kachigam, Daman Distt: Daman Daman & Diu - 396210	IS 60079: part 1: 2007 Explosive Atmospheres-part 1: Equipment Protection by Flameproof Enclosures "d"	29/08/2013
11.	3768784	Apex Consumer Appliances Pvt. Ltd. Plot No. 29, P.O. Kanjur Village Road, Opp. Crescent Indl. Estate, Kanjur Marg-East, Mumbai-400042	IS 4250:1980 Domestic Electric Food-Mixers (Liquidizes and Grinders) as per IS 4250:1980	27/09/2013

[No. CMD/13:13]

A.S. JAMKHINDIKAR, Scientist 'F' & Head (MDM-III)

नई दिल्ली, 24 अक्टूबर, 2013

कांआ 2469.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:—

अनुसूची

क्र० सं०	लाइसेंस सं०	स्वीकृति करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा० मा० सं० (भाग/खंड)/ वर्ष
1.	3967992	03/07/2013	कोना इलेक्ट्रॉनिक्स मैनु, एण्ड रिसर्च प्रा० लि० 17 से 20, प्रगति इण्डस्ट्रीयल इस्टेट, 66 केवी पावर स्टेशन के सामने, अमली, सिलवासा दादरा और नगर हवेली-396230	250 वोल्टता और 16 एम्पीअर्स तक रेटिड धारा के प्लग्स और सॉकेट	भा० मा० 1293:2005
2.	3968085	04/07/2013	कोना इलेक्ट्रॉनिक्स मैनु, एण्ड रिसर्च प्रा० लि० 17 से 20, प्रगति इण्डस्ट्रीयल इस्टेट, 66 केवी पावर स्टेशन के सामने, अमली, सिलवासा दादरा और नगर हवेली-396230	सीलिंग रोज	भा० मा० 371:1999
3	3963681	05/07/2013	जय वायर्स और केबल्स यूनिट 30/31, मेघदूत इस्टेट लुथरीया हाउस के सामने, वालिव फाटा, सातीवली रोड, जिला ठाणे, वसई पूर्व-401208	1100 वो तक एवं सहित कार्यकारी वोल्टता के लिए पी वी सी रोधित केबल	भा० मा० 694:1990
4	3971882	29/07/2013	महावीर मैनुफैक्चरिंग पहला माला, 29 एडमण्ड डिस्का कंपाउण्ड, खैरानी रोड, साकीनाका, अंधेरी पूर्व, मुंबई -400072	बिजली के घरेलू खाद्य मिक्सर (द्रवीपरक और ग्राइंडर)	भा० मा० 4250:1980
5	3971983	29/07/2013	गैलैक्सी ट्रान्समिशन प्रा० लि० सर्वे सं० 99, प्लॉट सं० 11, मधुबन इण्डस्ट्रीयल इस्टेट, मधुबन डैम रोड, राखोली, दादरा एवं नगर हवेली, सिलवासा-396230	शिरोपरि प्रेषण प्रयोजनों के लिए एल्यूमिनियम चालक - भाग - 5, एल्यूमिनियम चालक, अतिरिक्त उच्च वोल्टता (400 केवी और अधिक) के लिए जस्तीकृत इस्पात प्रबलित	भा० मा० 398 भाग 5:1992
6	397206	29/07/2013	गैलैक्सी ट्रान्समिशन प्रा० लि० सर्वे सं० 99, प्लॉट सं० 11 मधुबन इण्डस्ट्रीयल इस्टेट,	शिरोपरि प्रेषण प्रयोजनों के लिए एल्यूमिनियम चालक-भाग-1, एल्यूमिनियम लडदार चालक	भा० मा० 398 भाग 1:1996

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा० मा० सं० (भाग/ खंड) / वर्ष
			मधुबन डैम रोड, राखोली, दादरा एवं नागर हवेली, सिलवासा-396230		
7	3972177	29/07/2013	गैलैक्सी ट्रान्समिशन प्रा० लि० सर्वे सं० 99, प्लॉट सं० 11, मधुबन इण्डस्ट्रीयल इस्टेट, मधुबन डैम रोड, राखोली, दादरा एवं नागर हवेली, सिलवासा-396230	शिरोपरि प्रेषण प्रयोजनों के लिए एल्यूमिनियम चालक-भाग-2, एल्यूमिनियम चालक, जस्तीकृत इस्पात प्रबलित	भा० मा० 398 भाग 2: 1996
8	3972278	29/07/2013	गैलैक्सी ट्रान्समिशन प्रा० लि० सर्वे सं० 99, प्लॉट सं० 11 मधुबन इण्डस्ट्रीयल इस्टेट, मधुबन डैम रोड, राखोली, दादरा एवं नागर हवेली, सिलवासा-396230	शिरोपरि प्रेषण प्रयोजनों के लिए एल्यूमिनियम चालक-भाग-4, एल्यूमिनियम मिश्रधातु के लडदार चालक, (एल्यूमिनियम मैग्नीशियम सिलीकॉन टाईप)	भा० मा० 398 भाग 4: 1996
9	3976690	12/08/2013	कोना इलेक्ट्रॉनिक्स मैनु. एण्ड रिसर्च प्रा० लि० 17 से 20, प्रगति इण्डस्ट्रीयल इस्टेट, 66 केवी पावर स्टेशन के सामने, अमली, सिलवासा दादरा और नागर हवेली-396230	घरेलु और समान प्रयोजनों के लिए स्विचें	भा० मा० 3854: 1997
10	3980378	14/8/2013	डीएमओ इण्डस्ट्रीज 22, अपूर्वा इण्डस्ट्रीयल इस्टेट, मकवाना रोड, मरोल नाका, अंधेरी (पूर्व) मुंबई-400059	घरेलु और समान प्रयोजनों के लिए स्विचे	भा० मा० 3854: 1997
11	2808058	23/08/2013	ऋषभदेव टेक्नो केबल लि० सर्वे सं० 60/41 पी, प्लॉट सं० 18, इंडियन ऑयल कार्पोरेशन के सामने, करजगम गाँव, जिला दादरा और नागर हवेली सिलवासा-396230	1100 वो तक एवं सहित कार्यकारी केबल वोल्टता के लिए पी वी सी रोधित केबल	भा० मा० 694: 1990
12	2807965	23/08/2013	ऋषभदेव टेक्नोकेबल लि० सर्वे सं० 60/41 पी, प्लॉट सं० 18, इंडियन ऑयल कार्पोरेशन के सामने, करजगम गाँव, जिला दादरा और नागर हवेली सिलवासा-396230	क्रासलिंगड पॉलीथिलीन विद्युत् रोधी पी वी सी आवरीत केबल भाग 1, 1100 वो तक एवं सहित कार्यकारी वोल्टता हेतु	भा० मा० 7098 भाग 1: 1988
13	280159	23/8/2013	ऋषभदेव टेक्नोकेबल लि० सर्वे सं० 60/41 पी प्लॉट सं० 18, इंडियन ऑयल कार्पोरेशन के सामने, करजगम गाँव, जिला दादरा और नागर हवेली सिलवासा-396230	पी वी सी रोधित (भारी ड्युटी) विद्युत् केबल: भाग 1, 1100 वोल्ट कार्यकारी वोल्टता तक व सहित के लिए	भा० मा० 1554 (भाग 1) 1988
14	3988596	23/08/2013	सरस्वती वायर एण्ड केबल इण्डस्ट्रीज प्लॉट सं० सी 1, देवन इण्ड्रू काम्प्लेक्स,	1100 वो तक एवं सहित कार्यकारी वोल्टता के लिए पी०वी०सी० रोधित केबल	भा० मा० 694: 1990

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्ष	भा मा सं० (भाग/ अनुभाग) : वर्ष
			वेवूर गांव, मनोर रोड, पालघर, पूर्व जिला ठाणे-401 404		
15	3988495	26/08/2013	कोलोर्स इलेक्ट्रीकल्स जानकी अपार्टमेंट, वासुदेव पाटील नगर, कल्याण भिवण्डी रोड, केनगाँव, भिवण्डी, जिला, ठाणे-423131	घरेलु और समान प्रयोजनों के लिए स्विचें	भा० मा० 3854: 1997
16	3989295	27/08/2013	गोयोलिन फायबर्स इंडिया प्रा० लिमिटेड सर्वे सं० 104/2/3, उमर कोई रोड, फुलांदी गांव, जेबीएफ प्लान्ट के बाद, दादरा और नगर हवेली सिलवासा - 396230	क्रासलिंग्ड पॉलीथिलीन विद्युत्तरोधी पी वी सी आवरीत केबल भाग 1, 1100 वो० तक एवं सहित कार्यकारी वोल्टता हेतु	भा० मा० 7098 भाग 1: 1988
17	3990482	03/09/2013	सिलवर इलेक्ट्रीकल्स यूनिट सं० ए 107, पहला माला एवं ए 217 वासुपूज्य इस्टेट, लक्ष्मी नगर, गोरेगांव-पश्चिम मुंबई - 400 062	घरेलु और समान प्रयोजनों के लिए स्विचे	भा० मा० 3854: 1997
18	3996696	17/09/2013	वर्धमान उदयोग गाला 126, पहला माला, हिरानंदानी इण्डस्ट्रीयल इस्टेट रेलवे स्टेशन के सामने कांजुरमार्ग मुंबई - 400078	पानी गर्म करने के इस्टेट हीटर	भा० मा० 8978: 1992
19	3998195	17/09/2013	इस्सार फेरो अलॉयज कंपनी 97/4 एवं 97/5, दमन इण्डस्ट्रीयल इस्टेट कदैया गांव, दमन केन्द्र शासित, जिला दमन दमन एवं दीव - 396210	पी वी सी रोधित (भारी ड्युटी) विद्युत्त केबल: भाग 1,1100 वोल्ट कार्यकारी वोल्टता तक व सहित के लिए	भा० मा० 1554 (भाग 1) 1988

[सं० केन्द्रीय प्रमाणन विभाग/13:11]

ए० एस० जामाखिंडीकर, वैज्ञानिक 'एफ' एवं प्रमुख (एम डी एम-III)

New Delhi, the 24th October, 2013

S.O. 2469.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1998, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name of Address (Factory) of the Party	Product	IS No. Part/ Sec. Year
1	2	3	4	5	6
1	3967992	03/07/2013	Cona Electronics Mnfg. & Research Pvt Ltd. 17 To 20, Pragati Industrial Estate, Opp: 66kv Power Station, Amlī Dadra & Nagar Haveli Silvassa-396230	Plug and socket outlets of 250 volts and rated current up to 16 amperes	IS 1293: 2005

1	2	3	4	5	6
2	3968085	04/07/2013	Cona Electronics Mnfg. Research Pvt. Ltd. 17 To 20, Pragati Industrial Estate, Opp: 66KV Power Station, Amli Dadra & Nagar Haveli Silvassa-396230	Ceiling Roses	IS 371:1999
3	3963681	05/07/2013	Jai Wires & Cables Unti 30/31, Meghdoot Estate, Opp. Luthria House, Waliv Phata, Sativali Road Dist- Thane Vasai East-401208	Pvc Insulated cables for working voltages upto and including 1100 V	IS 694: 1990
4	3971882	29/07/2013	Mahaveer Manufacturing 1st Floor, 29 Edmond Dsouza Compound, Khairani Road, Sakinaka, Andheri-(east) Mumbai-400072	Domestic electric food-mixres (liquidizes and grinders)	IS 4250: 1980
5	3971983	29/07/2013	Galaxy Transmissions Pvt.Ltd Survey No. 99, Plot No, 11, Madhuban Indl. Estate, Madhuban Dam Road, Rakholi Dadra And Nagar Haveli Silvassa - 396230	Aluminium conductors for overhead transmission purposes: Part 5 aluminium conductors - galvanized steel- reinforced for extra high voltage (400 Kv And Above)	IS 398: Part 5: 1992
6	3972076	29/07/2013	Galaxy Transmissions Pvt. Ltd. Survey No. 99 Plot No. 11 Madhuban Indl. Estate Madhuban Dam Road, Rakholi Dadra And Nagar Haveli Silvassa - 396230	Aluminium conductors for overhead transmission purposes: Part 1 Aluminium standerd conductors	IS 398: Part 1 : 1996
7	3972177	29/07/2013	Galaxy Transmission Pvt. Ltd. Survey No. 99, Plot No. 11, Madhuban Indl. Estate Madhuban Dam Road, Rakholi Dadra And Nagar Haveli Silvassa-396230	Aluminium conductors for overhead transmission purpose: Part 2 Aluminium conductors, galvanized steel reinforced	IS 398: Part 2: 1996
8	3972278	29/07/2013	Galaxy Transmissions Pvt. Ltd. Survey No. 99, Plot No. 11, Madhuban Indl. Estate Madhuban Dam Road, Rakholi Dadra And Nagar Havelim Silvassa-396230	Aluminium Conductors for overhead transmission purposes: Part 4 Aluminium alloy standerd conductors (aluminium magnesium silicon type)	IS 398: Part 4: 1994
9	3976690	12/08/2013	Cona Electronics Mnfg & Research Pvt. Ltd. 17 to 20 Pragati Industrial Estate, Opp.66 Kv Power Station, Amli Dadra And Nagar Haveli Silvassa-396230	Switches for domestic and similar purposes	IS 3854: 1997
10	3980378	14/08/2013	DMO Industries 22, Apurva Ind. Estate, Makwana Road, Marol Naka, Andheri (East) Mumbai - 400059	Switches for domestic and similar Purpose	IS 3854:1997

1	2	3	4	5	6
11	2808058	23/08/2013	Rishabhdev Technocable Ltd. Survey No. 60/41P, Plot No. 18, Opp. Indian Oil Corporation, Village Karajgam, Distt: Dadra & Nagar Haveli, Silvassa - 396230	PVC Insulated cables for working voltages upto and including 1100 V	IS 694:1990
12	2807965	23/08/2013	Rishabhdev Technocable Ltd. Survey No. 60/41P, Pilot No. 18, Opp. Indian Oil Corporation, Village Karajgam, Distt: Dadra & Nagar Haveli Silvassa-396230	Crosslinked polyethylene insulated PVC sheathed cables: Part 1 for working voltage upto and Including 1100V	IS 7098: Part 1 : 1988
13	2808159	23/08/2013	Rishabhdev Technocable Ltd. Survey No. 60/41P, Plot No. 18, Opp. Indian Oil Corporation, Village Karajgam, Distt: Dadra & Nagar Haveli, Silvassa-396 230	PVC insulated (heavy duty) electric cables: Part 1 for working voltages upto and including 1100V	IS 1554: Part 1:1988
14	3988596	23/08/2013	Saraswati Wire & Cable Inds. Plot No. C-1, Dewan Indl. Complex Village Vevoor, Manor Road, Thane Palghar (East)- 401404	PVC Insulated cables for working voltages upto and including 1100 V	IS 694: 1990
15	3988495	26/08/2013	Kolors Electricals Janki Apartments, Vasudev Patil Nagar, Kalyan Bhivandi Road, Kongaon Thane Bhiwandi-423131	Switches for domestic and similar purposes	IS 3854:1997
16	3989295	27/08/2013	Goyolene Fibres (I) Pvt. Ltd. Survey No. 104/2/3. Umar Koi Road, Village Falandi, after JBF Plant Dadra and Nagar Haveli Silvassa-396230	Crosslinked Polyethylene insulated PVC sheathed cables: Part 1 for working voltage upto and including 1100 V	IS 7098:
17	3990482	03/09/2013	Silver Electricals Uni No. A-107, First Floor, Vasupuja Estate, Laxmi Nagar Goregaon-West Mumbai-400062	Switches for domestic and similar purposes	IS 3854:1997
18	3996696	17/09/2013	Vardhaman Udyog Gali No. 126, 1st Floor, Hiranandani Indl. Estate, Opp. Railway Stn. Kanjurmarg, Mumbai-400078	Electric instantaneous water heaters	IS 8978:1992
19	3998195	17/09/2013	Essar Ferro Alloys Company 97/4 & 97/5, Daman Industrial Estate, Village Kadaiyap Daman (U.T.) Distt: Daman Daman & Diu - 396210	PVC Insulated (heavy duty) electric Cables: Part 1 for working voltages upto and Including 1100 V	IS 1554: Part 1: 1988

[No. CMD/13:11]

A.S. JAMKHINDIKAR, Scientist 'F' & Head (MDM-III)

नई दिल्ली, 24 अक्टूबर, 2013

कांआ० 2470.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 16121 : 2013/ आई एस ओ 3402: 1999 तम्बाकू एवं तम्बाकू उत्पाद- अनुकूलन एवं परीक्षण के लिये वातावरण	-	31 अगस्त, 2013
2.	आई एस 16122: 2013/ आई एस ओ 7218: 2007 खाद्य एवं पशु आहार सामग्रियों का सूक्ष्म जैवविज्ञान-सूक्ष्म जैविक परीक्षणों के लिए सामान्य अपेक्षाएं एवं मार्गदर्शिका	-	31 अगस्त, 2013
3.	आई एस / आई एस ओ/ टी एस 22002-1: 2009 खाद्य सुरक्षा पर पूर्वपक्ष कार्यक्रम भाग 1 खाद्य उत्पादन	-	31 अगस्त, 2013

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चैन्नई, मुम्बई चण्डीगढ़ तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा कोचि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एफएडी/जी-128]

कुमार अनिल, वैज्ञानिक 'एफ' एवं प्रमुख (खाद्य एवं कृषि)

New Delhi, the 24th October, 2013

S.O. 2470.—In pursuance of Clause (b) of sub-rule (1) of Rules 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notified that the Indian Standards, particulars of which are given in the Schedule hereto annexed has been established on the date indicated against it:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 16121: 2013/ ISO 3402:1999 Tobacco and Tobacco Products - Atmosphere for conditioning and testing	-	31 August, 2013
2.	IS 16122 : 2013/ ISO 7218 : 2007 Microbiology of food and animal feeding Stuffs - General requirements and guidance for microbiological examinations	-	31 August, 2013

(1)	(2)	(3)	(4)
3.	IS/ISO/TS 22002-1:2009 Prerequisite programmes on food safety PART 1 - Food Manufacturing	-	31 August, 2013

Copies of these standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi - 110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Kochi.

[Ref. FAD/G-128]

KUMAR ANIL, Scientist 'F' and Head (Food & Agri.)

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2471.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये मानक (कों) में संशोधन किया गया/किये गये हैं:

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधनों की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आईएस 649:1997 शक्ति विद्युतीय उपकरणों के चुम्बकीय परिपथ के लिए इस्पात चद्दरों की परीक्षण विधि (दूसरा पुनरीक्षण)	संशोधन संख्या 4 : अगस्त 2013	31 अगस्त 2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली - 110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चंडीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एमटीडी 4/टी-200]

पी० घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 24th October, 2013

S.O. 2471.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Amendment(s), Indian Standards, particulars of which are given in the Schedule here to annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	IS No. & Title of the Amendment(s)	No. & Year of the Amendment(s)	Date from which the amendment shall have effected
(1)	(2)	(3)	(4)
I.	IS 649: 1997 Methods of testing Steel Sheets for Magnetic Circuits of Power Electrical Apparatus (Second Revision)	Amendment No. 4 August 2013	31 August, 2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi -110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. MTD 4/T-200]

P. GHOSH, Scientist 'F' & Head (MTD)

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2472.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि को हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस/आई एस ओ 105-ई 01:2010 वस्त्रादि - रंग के पक्केपन की पद्धति भाग ई 01 पानी के प्रति रंग का पक्कापन	आई एस 767 : 1988	सितम्बर 2013
2.	आई एस / आई एस ओ 105-ई 07:2010 वस्त्रादि - रंग के पक्केपन की पद्धति भाग ई 07 धब्बा लगने पर रंग का पक्कापन : पानी	आई एस 972 : 1988	सितम्बर 2013
3.	आई एस 14715 (भाग 1) : 2013 जूट के भू-वस्त्र भाग 1 सड़क के सब-ग्रेड को मजबूती प्रदान करने हेतु - विशिष्टि (पहला पुनरीक्षण)	आई एस 14715 : 2000	सितम्बर 2013
4.	आई एस 16089 : 2013 जूट कृषि वस्त्रादि - सीडलिंग/सैपलिंग की वृद्धि के लिये सैपलिंग बैग - विशिष्टि	-	सितम्बर 2013
5.	आई एस 16090: 2013 भूकृत्रिम - सुरक्षा (अथवा कुशनिंग) हेतु भूवस्त्रादि सामग्री - विशिष्टि	-	सितम्बर 2013

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ टी एक्सडी/जी-25]

प्रभाकर राय, वैज्ञानिक 'ई' एवं प्रमुख (टी एक्स डी)

New Delhi, the 25th October, 2013

S.O. 2472.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987 the Bureau of Indian Standards hereby notifies that Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No., Title & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS/ISO 105-E 01:2010 Textiles- Tests for Colour Fastness Part E 01 Colour Fastness to Water	IS 767:1988	September 2013
2.	IS/ISO 105-E 07:2010 Textiles- Tests for Colour Fastness Part E 07 Colour Fastness to Spotting :Water	IS 972:1988	September 2013

(1)	(2)	(3)	(4)
3.	IS 14715 (Part I) : 2013 Jute Geo-Textiles Part 1 Strengthening of Sub-Grade in Roads - Specification	IS 14715 : 2000	September 2013
4.	IS 16089:2013 Jute Agro-Textile - Sapling Bags for Growth of Seedling/Sapling - Specification	—	September 2013
5.	IS 16090:2013 Geo-Synthetics-Geo-Textiles used as Protection (or Cushioning) Materials - Specification	—	September 2013

Copy of the above Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi - 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. TXD/G-25]

PRABHAKAR RAI, Scientist 'E' Head (TXD)

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2473.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 16126 : 2013 वस्त्रादि - बुने हुए पॉलिएस्टर कपड़े के बने हुए जलरोधक तिरपाल - विशिष्टि	—	अक्टूबर 2013

इन भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ टी एक्स डी/जी-25]

प्रभाकर राय, वैज्ञानिक 'ई' एवं प्रमुख (टी एक्स डी)

New Delhi, the 25th October, 2013

S.O. 2473.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that Indian Standard, particular of which is given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No., Title & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
I.	IS 16126: 2013 Textiles - Waterproof ` Taraulins Made from Woven Polyester Fabric - Specification	—	October 2013

Copy of the above Indian Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi - 110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. TXD/G-25]

PRABHAKAR RAI, Scientist 'E' & Head (TXD)

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2474.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं:

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधनों की संख्या और तिथि	संशोधित लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 269:2013	संशोधन संख्या 1, जुलाई 2013	28 अक्टूबर, 2013

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा कोची में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 25th October, 2013

S.O. 2474.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standard, particulars of which are given in the Schedule below, has been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 269:2013	Amendment No. 1, July 2013	28 October, 2013

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi - 110 002 and Regional Offices: Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2475.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गए हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 14174:2013/आईएसओ/आईईसी 7813:2006 सूचना प्रौद्योगिकी - पहचान पत्र - वित्तीय लेनदेन कार्ड (पहला पुनरीक्षण)	-	अगस्त 2013
2.	आईएस 16124:2013/आईएसओ/आईईसी 12207:2008 प्रणालियाँ और सॉफ्टवेयर इंजीनियरी - जीवन चक्र प्रक्रम	-	सितम्बर 2013
3.	आईएस 16125 (भाग 2) : 2013/आईएसओ/आईईसी 15938- 2:2002 सूचना प्रौद्योगिकी — मल्टी मीडिया अंश के वर्णन का इंटरफेस भाग 2 वर्णन की परिभाषा के लिए भाषा	-	सितम्बर 2013
4.	आईएस 14202 (भाग 3) : 2013/आईएसओ/आईईसी 7816- 3:2006 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 3 सम्पर्क सहित कार्ड्स — विद्युतीय इंटरफेस और प्रसारण संलेख (पहला पुनरीक्षण)	-	सितम्बर 2013
5.	आईएस 14202 (भाग 5) : 2013/आईएसओ/आईईसी 7816- 5:2004 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 5 आवेदन प्रदाताओं का पंजीकरण (पहला पुनरीक्षण)	-	सितम्बर 2013
6.	आईएस 14202 (भाग 6) : 2013/आईएसओ/आईईसी 7816- 6:2004 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 6 इंटरइण्डस्ट्री आदान प्रदान के लिए आंकड़े अवयव (पहला पुनरीक्षण)	-	सितम्बर 2013
7.	आईएस 14202 (भाग 7) : 2013/आईएसओ/आईईसी 7816- 7:1999 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 7 संरचित कार्ड क्वेरी भाषा (एससीक्यूएल) के लिये इंटरइण्डस्ट्री आदेश	-	सितम्बर 2013
8.	आईएस 14202 (भाग 8) : 2013/आईएसओ/आईईसी 7816- 8:2004 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 8 सुरक्षा कार्यों के लिये आदेश	-	सितम्बर 2013
9.	आईएस 14202 (भाग 9) : 2013/आईएसओ/आईईसी 7816- 9:2004 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 9 कार्ड प्रबंधन के लिए आदेश	-	सितम्बर 2013
10.	आईएस 14202 (भाग 10) : 2013/आईएसओ/आईईसी 7816- 10:1999 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 10 तुल्यकालिक कार्डों के लिए इलैक्ट्रॉनिक संकेत और रीसेट उत्तर	-	सितम्बर 2013
11.	आईएस 14202 (भाग 11) : 2013/आईएसओ/आईईसी 7816- 11:2004 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 11 बायोमीट्रिक तरीकों के माध्यम से व्यक्तिगत सत्यापन	-	सितम्बर 2013
12.	आईएस 14202 (भाग 13) : 2013/आईएसओ/आईईसी 7816- 13:2007 पहचान कार्ड्स — एकीकृत परिपथ कार्ड्स भाग 13 आवेदन प्रबंधन के लिये एक बहु-आवेदन पर्यावरण में आदेश	-	सितम्बर 2013

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एलआईटीडी/जी-75]

डी० गोस्वामी, वैज्ञानिक 'एफ' एवं प्रमुख (इलैक्ट्रॉनिकी एवं आई टी)

New Delhi, the 25th October, 2013

S.O. 2475.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1	IS 14174:2013/ISO/IEC 7813 :2006 Information Technology-Identification Cards—Financial Transaction Cards (<i>First Revision</i>)	-	August 2013
2	IS 16124:2013/ISO/IEC 12207 :2008 Systems and software engineering—software life cycle processes	-	September 2013
3	IS 16125 (Part 2): 2013/ISO/IEC 15938-2:2002 Information technology—Multimedia content description interface Part 2: Description definition language	-	September 2013
4	IS 14202 (Part 3):2013/ISO/IEC 7816-3:2006 Identification cards—Integrated circuit cards Part 3 Cards with contacts-Electrical Interface and transmission protocols (<i>First Revision</i>)	-	September 2013
5	IS 14202 (Part 5):2013/ISO/IEC 7816-5:2004 Identification cards—Integrated circuit cards Part 5 Registration of application providers (<i>First Revision</i>)	-	September 2013
6	IS 14202 (Part 6):2013/ISO/IEC 7816-6:2004 Identification cards—Integrated Circuit Cards Part 6 Interindustry data elements for interchange (<i>First Revision</i>)	-	September 2013
7	IS 14202 (Part 7):2013/ISO/IEC 7816-7:1999 Identification cards—Integrated circuit cards Part 7: Interindustry commands for structured card query language (SCQL)	-	September 2013
8	IS 14202 (Part 8):2013/ISO/IEC 7816-8:2004 Identification cards—Integrated circuit cards Part 8 Commands for security operations	-	September 2013
9	IS 14202 (Part 9):2013/ISO/IEC 7816-9:2004 Identification cards—Integrated Circuit Cards Part 9 Commands For Card Management	-	September 2013
10	IS 14202 (Part 10):2013/ISO/IEC 7816-10:1999 Identification cards—Integrated circuit cards Part 10:Electronic signals and answer to reset for synchronous cards.	-	September 2013
11	IS 14202 (Part 11):2013/ISO/IEC 7816-11:2004 Identification cards—Integrated circuit cards Part 11 Personal verification through biometric methods	-	September 2013
12	IS 14202 (Part 13):2013/ISO/IEC 7816-13:2007 Identification cards—Integrated circuit cards Part 13:Commands for application management in a multi-application environment	-	September 2013

Copy of these Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. LITD/G-75]

D. GOSWAMI, Scientist 'F' & Head (LITD)

नई दिल्ली, 28 अक्टूबर, 2013

का०आ० 2476.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (को) में संशोधन किया गया/किये गये हैं:

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4911:1986	1, अक्टूबर 2013	31.10.2013

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 28th October, 2013

S.O. 2476.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standard, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standard	No. & Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 4911:1986	1, October 2013	31.10.2013

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 28 अक्टूबर, 2013

का०आ० 2477.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन मानकों का विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (को) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 1200 (भाग 7): 2013 भवन निर्माण और सिविल इंजीनियर कार्यों की मापन पद्धतियां भाग 7 हार्डवेयर (तीसरा पुनरीक्षण)	आई एस 1200 (भाग 7): 1972	30.09.2013

(1)	(2)	(3)	(4)
2.	आई एस 1200 (भाग 10) : 2013 भवन निर्माण और सिविल इंजीनियर कार्यों की मापन पद्धतियां भाग 10 सीलिंग व लाइनिंग्स (तीसरा पुनरीक्षण)	आई एस 1200 (भाग 10) : 1973	30.09.2013
3.	आई एस 1200 (भाग 11) : 2013 भवन निर्माण और सिविल इंजीनियर कार्यों की मापन पद्धतियां भाग 11 पेविंग, फर्श परिसज्जा, बड़ा किनारा (डैडो) व छोटा किनारा (स्कर्टिंग) (चौथा पुनरीक्षण)	आई एस 1200 (भाग 11) : 1977	30.09.2013
4.	आई एस 1200 (भाग 27) : 2013 भवन निर्माण और सिविल इंजीनियर कार्यों की मापन पद्धतियां भाग 27 यांत्रिक उपकरणों के द्वारा किया गया भूमि कार्य (पहला पुनरीक्षण)	आई एस 1200 (भाग 27) : 1992	30.09.2013

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा कोचि में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

जे० रॉय चौधरी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 28th October, 2013

S.O. 2477.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated it:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1	IS 1200 (Part 7):2013 Method of Measurement of Building and Civil Engineering Works Part 7 Hardware (Third Revision)	IS 1200 (Part 7):1972	30-09-2013
2	IS 1200 (Part 10):2013 Method of Measurement of Building and Civil Engineering Works Part 10 Ceilings and Linings (Third Revision)	IS 1200 (Part 10):1973	30-09-2013
3	IS 1200 (Part 11):2013 Method of Measurement of Building and Civil Engineering Works Part 11 Paving, Floor Finishes, Dado and Skirting (Fourth Revision)	IS 1200 (Part 11):1977	30-09-2013
4	IS 1200 (Part 27):2013 Method of Measurement of Building and Civil Engineering Works Part 27 Earthwork Done by Mechanical Appliances (First Revision)	IS 1200 (Part 27):1992	30-09-2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Kochi.

[Ref. CED/Gazette]

J. ROY CHOWDHURY, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 29 अक्टूबर, 2013

का०आ० 2478.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 6 के उपविनियम (3) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अनुसूची में दिए गए उत्पादों की मुहरांकन शुल्क अधिसूचित करता है:

अनुसूची											
भारतीय मानक संख्या	भाग	अनु	वर्ष	उत्पाद	इकाई	न्यूनतम मुहरांकन शुल्क (रु.)		इकाई दर स्लैब 1 (रु.)	स्लैब में इकाईयां	शेष	प्रचालन तिथि
1	2	3	4	5	6	बड़े पैमाने पर	छोटे पैमाने पर	9	10	11	12
335	-	-	1993	नये विद्युत रोधन तेल	1 किलो लिटर	74000	63000	रु. 8.70	सभी	-	12.02.2013
1626	3	-	1994	एस्बेस्टॉस सीमेंट के भवन निर्माण पाइप्स तथा पाइप फिटिंग्स, गटर, गटर फिटिंग्स तथा छत निर्माण भाग-3 छत निर्माण फिटिंग	एक टन	34000	29000	रु. 21	सभी	-	12.02.2013
4989	-	-	2006	अग्नि शमन के लिए यांत्रिक झाग उत्पन्न करने हेतु झाग सांद्र	1 लिटर	34000	29000	रु. 0.2	सभी	-	12.02.2013
6452	-	-	1989	संरचनात्मक उपयोग के लिए उच्च एलुमिना सीमेंट	एक टन	44000	38000	रु. 4.00	सभी	-	तुरन्त प्रभाव से
7834	3		1987	जल आपूर्ति हेतु इन्जेक्शन मॉल्लिड पीवीसी सॉकेट फिटिंग सहित सॉल्वेन्ट सीमेंट के जोड़ भाग 3—90 डिग्री एल्बो हेतु विशेष अपेक्षाएं	100 पीस	34000	29000	रु. 8.65	सभी	-	12.02.2013
15500	5		2004	गहराई से पानी निकालने के हथबरमे—घटक और विशेष औजार भाग 5—कास्ट आयरन	100 पीस	34000	29000	रु. 13.9— (Fig. 5.5, 5.6) रु. 10.4— (Fig. 5.4) रु. 17.3— (Fig. 5.1,5.2,5.3)	-		12.02.2013
15500	6		2004	गहराई से पानी निकालने के हथबरमे—घटक और विशेष औजार भाग 6—ब्रास/ब्रॉज घटक	100 पीस	34000	29000	रु. 8.7— (Fig. 6.16, 6.2, 6.15) रु. 3.5—(Fig. 6.3, 6.9) रु. 7.0— (Fig. 6.10, 6.12, 6.4) रु. 20.8—(Fig. 6.13) रु. 5.3—(Fig. 6.5) रु. 10.4—(Fig. 6.6) रु. 15.6—(Fig. 6.8) रु. 13.9—(Fig. 6.7) रु. 2.7—(Fig. 6.1.1) रु. 17.3—(Fig. 6.14) रु. 2.6—(Fig. 6.1)	-		12.02.2013
15500	7		2004	गहराई से पानी निकालने के हथबरमे—घटक और विशेष औजार भाग 7—रबड़ के घटक	100 पीस	34000	29000	रु. 1.75— (Fig. 7.1, 7.2) रु. 3.5— (Fig. 7.6, 7.7, 7.9) 7—(Fig. 7.8, 7.5, 7.4, 7.12, 7.13, 7.14, 7.15) रु. 10.4—(Fig. 7.3) रु. 5.3—(Fig. 7.10, 7.11)			

1	2	3	4	5	6	7	8	9	10	11
15787			2008	स्विच सॉकेट आउटलेट्स (नॉन इंटरलॉकिंग टाइप)	100 पीस	34000	29000	रु. 3.50	सभी	12.02.2013
15884			2008	सक्रिय ऊर्जा हेतु प्रत्यावर्ती धारा प्रत्यक्ष जुड़े, स्थैतिक पूर्वभुगतान वाले मीटर (श्रेणी 1 एवं 2)	एक पीस	3,20000	2,72000	रु. 3.00	सभी	तुरन्त प्रभाव से
15905			2011	लोहे के हवलैस, अपकेन्द्री ढूले (स्पन, पाइप, फिटिंगें और सहायकांग-स्प्रिंग श्रेणी	एक टन	51000	43000	रु. 9.00	सभी	तुरन्त प्रभाव से

[सं सीएमडी/13:10]

पी०के० गम्भीर, वैज्ञानिक 'जी' एवं प्रधान (प्रमाणन)

New Delhi, the 29th October, 2013

S.O. 2478.—In pursuance of sub-regulation (3) of regulation 6 of the Bureau of Indian Standards (Certification) Regulation 1988, the Bureau of Indian Standards, hereby notifies the Marking fee for the products given in the Schedule:

SCHEDULE

IS	Part	Sec.	Year	Product	Units	Minimum Marking Fee Large Scale (in Rs.)	Unit Rate Slab 1 (in Rs.)	Units Slab-1	Remai-ning	Effective Date	
1	2	3	4	5	6	7	8	9	10	11	12
335	—	—	1993	New Insulating Oils	1 Kilo Litre	74000	63000	Rs. 8.70	All	—	12.02.2013
1626	3	—	1994	Asbestos Cement Building Pipes and Pipe Fittings, Gutters and Gutter Fittings and Roofing Fittings Part 3—Roofing Fittings	1 Tonne	34000	29000	Rs. 21.00	All	—	12.02.2013
4989	—	—	2006	Foam concentrate for Producing Mechanical Foam for Fire Fighting	1 Litre	34000	29000	Rs. 0.2	All	—	12.02.2013
6452	—	—	1989	High Alumina Cement for Structural Use	One Tonne	44000	38000	Rs. 4.00	All	—	With immediate effect
7834	3	—	1987	Injection moulded PVC socket fitting with solvent cement joints for water supplies Part 3—Specific requirements for 90 degree elbow	100 Pieces	34000	29000	Rs. 8.65	All	—	12.02.2013
15500	5	—	2004	Deepwell Handpumps, Components and Special Tools Part 5 Cast Iron Components	100 Pieces	34000	29000	Rs 13.9 (Fig 5.5, 5.6) Rs. 10.4 (Fig. 5.4) Rs 17.3 (Fig. 5.1,5.2,5.3)	—	—	12.02.2013
15500	6	—	2004	Deepwell Handpumps, Components and Special Tools Part 6—Brass/Bronze Components	100 Pieces	34000	29000	Rs 8.7 (Fig. 6.16, 6.2, 6.15) Rs. 3.5 (Fig. 6.3, 6.9) Rs 7.0 (6.10,6.12,6.4) Rs.20.8 (Fig. 6.13)	—	—	12.02.2013

1	2	3	4	5	6	7	8	9	10	11	12
								Rs. 5.3 (Fig. 6.5) Rs. 10.4 (Fig. 6.6) Rs. 15.6 (Fig. 6.8) Rs. 13.9 (Fig. 6.7) Rs. 2.7 Figs. 6.1.1) Rs. 17.3 Fig. 6.14) Rs. 2.6 (Fig. 6.1)			
15500	7	—	2004	Deepwell Handpumps, Components and Special Tools Part 7—Rubber Components	100 Pieces	34000	29000	Rs 1.75 (Fig. 7.1, 6.2, 7.12) Rs. 3.5 (Fig. 6.3, 7.6, 7.7, 7.9) Rs 7 (Fig. 7.8, 7.5, 6.4, 7.12, 7.13, 7.14, 7.15) Rs. 10.4 (Fig. 7.3) Rs. 5.3 (Fig. 7.10, 7.11)	—	—	12.02.2013
15787	—	—	2008	Switch-Socket Outlets (Non-interlocking type)	100 Pieces	34000	29000	Rs. 3.50	All	—	12.02.2013
15884	—	—	2010	Alternating Current Direct Connected Static Prepayment effect Meters for Active Energy (Class 1&2)	One Pieces	3,20,000	2,72,000	Rs. 3.00	All	—	With immediate effect
15905	—	—	2011	Hubless Centrifugally Cast (Spun) Iron Pipes, Fittings and effect Accessories—Spigot Series	One Tonne	51000	43000	Rs. 9.00	All	—	With immediate effect

[No. CMD/13:10]

P. K. GAMBHIR, Scientist 'G' & Chief (Certification)

नई दिल्ली, 29 अक्टूबर, 2013

कांआ 2479.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम (4) के उप-विनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:—

अनुसूची

क्रम संख्या	लाइसेंस संख्या सीएम/एल	स्वीकृत करने की तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा० मा०	भाग	अनु०	वर्ष
1	2	3	4	5	6	7	8	9
01.	एल-4820361	02.08.2013	मै० अम्बावटा ग्रुप, किला नं० 20/2, मुस्तकिल नं० 47, गांव हरचन्दपुर, सोहना, जिला गुडगांव, (हरियाणा)	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)	14543	—	—	2004
02.	एल-4820563	02.08.2013	मै० परफैक्ट सिलें एन फैंब, खसरा नं० 039, कीला नं० 3,8, (22 फुट नेकपुर रोड), गांव नंगला गुजरान, निकट रावल इंटरनेशनल स्कूल, सोहना रोड, डाकघर पाली, जिला फरीदाबाद, (हरियाणा)	अल्प दाब द्रवणीय गैसों के लिए 5 लीटर से अधिक जल क्षमता वाले वेल्डित अल्प कार्बन इस्पात के सिलेंडर भाग 1 द्रवित पेट्रोलियम गैस (द्रवगै) के लिए सिलेंडर	3196	01	—	2006

1	2	3	4	5	6	7	8	9
03.	एल-4818576	06.08.2013	मै० शक्ति एपलाइसेंस, किला नं० 6/19, निकट आटो स्टेशन, गांव जसाना, जिला फरीदाबाद-121101, (हरियाणा)	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे	4246	—	—	2002
04	एल-4819477	07.08.2013	मै० एचपीएल इलैक्ट्रीक एण्ड पावर प्रा० लि०, 133, सैक्टर-37, पेस सिटी-1, जिला गुडगांव-122001, (हरियाणा)	प्रत्यावर्ती दिष्ट धारा सक्रिय ऊर्जा के लिए संयोजित स्थैतिक पूर्वभुगतान मीटर (श्रेणी 1 और 2)	15884	—	—	2010
05	एल-4822466	12.08.2013	मै० एस० आर० इलैक्ट्रॉनिक्स, आदर्श नगर, इण्डस्ट्रीयल एरिया, मलेरना रोड, बल्लभगढ़-121004, जिला फरीदाबाद, (हरियाणा)	इलैक्ट्रॉनिक प्रकार के पंखे के रेग्युलेटर	11037	—	—	1984
06	एल-4825371	12.08.2013	मै० क्वालिटी डेयरी इण्डिया लि०, खसरा नं० 15/(13/2, 18/1, 18/2), 15/(18/3, 14/1, 17, 23/1, 23/2, 24) 19/(3/1, 4, 7/1), गांव सोफता, तहसील व जिला पलवल (हरियाणा)	दूध का पाउडर	1165	—	—	2002
07	एल-4822668	19.08.2013	मै० मंगला प्लास्टिक इण्डस्ट्रीज, 1733, एमआईई, बहादुरगढ़-124507, जिला झज्जर, (हरियाणा)	निजी सुरक्षा उपस्कर भाग 2 सुरक्षा फुटवियर	15298	02	—	2002
08.	एल-4821868	26.08.2013	मै० एफएक्स ग्लोबल मेटल कॉरपोरेशन प्रा० लि०, प्लॉट नं०, सैक्टर-27A, फरीदाबाद-121003 (हरियाणा)	चांदी एवं चांदी मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	2112	—	—	2003
09.	एल-4821969	26.08.2013	मै० भोला ज्वैलर्स शॉप नं० बी-559, 33 फुट रोड, मस्जिद के पास, डबुआ कालोनी, फरीदाबाद, (हरियाणा)	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	1417	—	—	1999
10.	एल-4822062	26.08.2013	मै० एफएक्स ग्लोबल मेटल कॉरपोरेशन प्रा० लि०, प्लॉट नं० 7, सैक्टर-27A, जिला फरीदाबाद-121003 (हरियाणा)	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	1417	—	—	1999
11.	एल-4822567	26.08.2013	मै० भोला ज्वैलर्स शॉप नं० बी-559, 33 फुट रोड, मस्जिद के पास, डबुआ कालोनी, फरीदाबाद, (हरियाणा)	चांदी एवं चांदी मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	2112	—	—	2003

[सं० सीएमडी/13: 11]

बिन्दु कुमार, अनुभाग अधिकारी

New Delhi, the 29th October, 2013

S.O. 2479.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule:

SCHEDULE

Sl. No.	Licences No.CM/L	Grant Date	Name & Address of the Licensee	Title of the Standard	IS No.	Part	Sec.	Year
01.	L-4820361	02.08.2013	M/s. Ambawata Group, Kila No. 20/2, Mustkil No. 47, Village Harchandpur, Sohna, Distt. Gurgaon, (Haryana)	Packaged Drinking Water (Other Than Packaged Natural Mineral Water)	14543	—	—	2004
02	L-4820563	02.08.2013	M/s Perfect Cyl. No. Fab. Khasra No. 039, Kila No. 3, 8, (22 Ft. Nekpur Road), Village Nangla Gujran, Near Rawal International School, Sohna Road, P.O Pali, Distt. Faridabad-121004, (Haryana)	Welded Low Carbon Steel Cylinders Exceeding 5Litre Water Capacity for Low Pressure Liquefiable Gases Part 1: Cylinders for Liquefied Petroleum Gases (LPG)	3196	01	—	2006
03	L-4818576	06.08.2013	M/s Shakti Appliances, Kila No. 6/19, Near Auto Stand, Village Jasana, Distt. Faridabad-121101, (Haryana)	Domestic Gas Stoves for use with Liquefied Petroleum Gases	4246	—	—	2002
04.	L-4819477	07.08.2013	M/s HPL Electric & Power Pvt. Ltd., 133, Sector-37, Pace City-1, Distt. Gurgaon-122001, (Haryana)	Alternating Current Direct Connected Prepayment Meters for Active Energy (Class 1 &2)	15884	—	—	2010
05.	L-4822466	12.08.2013	M/s. S.R. Electronics, Adarsh Nagar, Industrial Area, Malerna Road, Ballabgarh-121004, Distt. Faridabad (Haryana)	Electronic Type Fan Regulators	11037	—	—	1984
06.	L-4825371	12.08.2013	M/s. Kwaliti Dairy India Ltd., Khasra No. 15/(13/2, 18/1, 18/2), 15/(18/3, 14/1, 17, 23/1, 23/2, 24) 19/ (3/1, 4, 7/1) Village Softa, Tehsil & District Palwal (Haryana)	Milk Powder	1165	—	—	2002
07.	L-4822668	19.08.2013	M/s. Mangla Plastic Industries, 1733, MIE, Bahadurgarh-124507, Distt. Jhajjar, (Haryana)	Personal Protective Equipment Part 2: Safety Footwear	15298	02	—	2002
08.	L-4821868	26.08.2013	M/s. Fx Global Metal, Corporation Pvt. Ltd., Plot No. 7 Sector-27A, Faridabad-121003 (Haryana)	Silver & Silver Alloys, Jewellery/Artefacts-Fineness and Marking	2112	—	—	2003
09.	L-4821969	26.08.2013	M/s. Bhola Jewellers, Shop No. B 0559, 33 Ft. Road, Near Masjid, Faridabad (Haryana)	Gold & Gold Alloys, Jewellery/Artefacts—Fineness and Marking	1417	—	—	1999
10.	L-4822062	26.08.2013	M/s. Fx Global Metal, Corporation Pvt. Ltd., Plot No. 7, Sector-27A, Faridabad-121003 (Haryana)	Gold & Gold Alloys, Jewellery/Artefacts—Fineness and Marking	1417	—	—	1999
11.	L-4822567	26.08.2013	M/s. Bhola Jewellers, Shop No. B 0559, 33 Ft. Road, Near Masjid, Faridabad (Haryana)	Silver & Silver Alloys, Jewellery/Artefacts—Fineness and Marking	2112	—	—	2003

[No. CMD/13:11]

BINDU KUMAR, Section Officer

नई दिल्ली, 29 अक्टूबर, 2013

का०आ० 2480.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम (5) के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शायी गई तारीख से रद्द/स्थगित कर दिया गया है:

अनुसूची

क्रम संख्या	लाइसेंस संख्या सीएम/एल	लाइसेंसधारी का नाम व पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द करने की तिथि
01	एल-9688517	मै ट्रैक्टल टिरफोर इंडिया प्रा० लि०, दूधोला रोड, डाकघर पृथला जिला पलवल 121102, (हरियाणा)	हस्तचालित चैन पुली ब्लॉक 3832:2005	16.8.2013

[सं सीएमडी 13:13]
बिन्दु कुमार, अनुभाग अधिकारी

New Delhi, the 29th October, 2013

S.O. 2480.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been cancelled /suspended with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licences No. CM/L	Name & Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelled/suspension	Date of Cancellation
01	L-9688517	M/s Tractel Tirfor India Pvt. Ltd., Dudhola Road, P.O. Prithla, Distt. Palwal-121102, (Haryana)	Hand-Operated Chain Pulley Blocks 3832 : 2005	16.8.2013

[No. CMD/13:13]
BINDU KUMAR, Section Officer

नई दिल्ली, 5 नवम्बर, 2013

का०आ० 2481.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम (4) के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं, को लाइसेंस प्रदान किए गए हैं:

अनुसूची

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भारतीय भाग मानक सं०	अनु० वर्ष
01	5721263	03.10.2013	सरस्वती ज्वैलर्स कुआखिया, मधुवन रोड, वार्ड नं० जे ए-सी, पोस्ट-रसुलपुर जिला जाजपुर, ओडिशा-755009	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट	1417	1999
02	5721364	03.10.2013	अलंकार ज्वैलर्स बिलाहाट मार्केट, महमदपुर, बिलाहाट, जिला-कटक, ओडिशा-754134	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट	1417	1999

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भारतीय भाग मानक सं.	अनु वर्ष
03	5721465	03.10.2013	रूपाश्री अलंकार एन ए सी मार्केट, ओल्ड बस स्टैंड, खुर्दा, ओडिशा-752055	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
04	5721768	07.10.2013	नबघन साहू एंड सन्स ज्वैलर्स बासुदेव मेडिकल के सामने, भद्रक, ओडिशा-756125	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
05	5721869	07.10.2013	तारिणी ज्वेलरी एंड वर्कशाप प्लॉट नं० 01, कोणार्क मार्केट काम्प्लेक्स, पोस्ट-कोणार्क, जिला-पुरी, ओडिशा-752111	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
06	5721970	07.10.2013	राज ज्वैलर्स साखीगोपाल बाजार, पोस्ट-साखीगोपाल, पुरी, ओडिशा	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
07	5722871	09.10.2013	ऋथिका गोल्ड प्रा० लि० सी-1 मार्केट बिल्डिंग, शॉप कम रेसिडेंसियल बिल्डिंग, सहिद नगर, भुवनेश्वर जिला-खुर्दा, ओडिशा-751007	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
08	5722972	09.10.2013	सोनी ज्वैलर्स मेन रोड, झारसुगुडा, ओडिशा-768201	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
09	5723065	09.10.2013	श्री शंकर अलंकार ज्वैलर्स मेन रोड, झारसुगुडा, ओडिशा-768201	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
10	5723166	09.10.2013	मनीमाया ज्वैलर्स शॉप नं० 04, नीलिमा काम्प्लेक्स, डेल्टा स्क्वायर, बरमुंडा, भुवनेश्वर, जिला-खुर्दा ओडिशा-751003	स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्टि	1417	1999
11	5725372	25.10.2013	श्रीया एंटरप्राइजेज लुआवाहाल, पोस्ट-बिलेईमुंडा, जिला सुंदरगढ़ ओडिशा-770024	पैकेजबंद पेय जल (पैकेजबंद, प्राकृतिक मिनरल जल के अलावा)	14543	2004
12	5725877	29.10.2013	एवरेस्ट इंडस्ट्रीज लिमिटेड सोमनाथपुर वर्क्स प्लॉट नं० जेड 5, आई आई डी सेंटर, सोमनाथपुर, ग्राम-पालसंधा एवं तेलगडिया, पीएस-इंडस्ट्रियल थाने, जिला-बालेश्वर ओडिशा-756019	एस्बेस्टोस सीमेंट की नालीदार और अर्ध-नालीदार सीमेंट की चद्दों की विशिष्टि	459	1992

क्र० सं०	लाइसेंस सं०	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भारतीय भाग मानक सं०	अनु वर्ष
13	5725978	30.10.2013	कवैल्य इंडस्ट्रीज हाटतोटा, तालचेर, जिला अनुगुल ओडिशा-759100	पैकेजबंद पेय जल (पैकेजबंद, प्राकृतिक मिनिरल जल के अलावा)	14543	2004

[सं० केन्द्रीय प्रमाणन विभाग/13:11]
अक्षय कुमार पुरोहित, वैज्ञानिक 'डी'

New Delhi, the 5th November, 2013

S.O. 2481.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulation, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following Schedule:

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and address of the party	Title of the Standard	IS No.	Part	Sec.	Year
1	2	3	4	5	6	7	8	9
01	5721263	03.10.2013	Saraswati Jewellers At. Kuakhia, Madhuban Road, Ward No. J.A-C, PO. Rasulpur District-Jajpur, Odisha-755009	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
02	5721364	03.10.2013	Alankar Jewellers At. Bilahat Market, Mahamadpur Bilahat, District-Cuttack, Odisha-754134	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
03	5721465	03.10.2013	Rupashree Alankar NAC Market, Old Busstand, District-Khurda, Odisha-752055	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
04	5721768	07.10.2013	Nabaghana Sahoo & Sons Jewellers Opp. to Basudevpur Medical, District-Bhadrak, Odisha-756125	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
05	5721869	07.10.2013	Tarini Jewellery and Workshop Plot, No. 01, Konark Market Complex, PO. Konark, District-Puri, Odisha-752111	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
06	5721970	07.10.2013	Raj Jewellers At. Sakhigopal Bazar, PO. Sakhigopal, District-Puri Odisha	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
07	5722871	09.10.2013	Rithvika Gold Private Limited C-1, Market Building, Shop-Cyn-Residence Building, Sahid Nagar, Bhubaneswar, District-Khurda, Odisha-751007	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
08	5722972	09.10.2013	Soni Jewellers At. Main Road PO. Jharsuguda, District-Jharsuguda, Odisha-768201	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999

1	2	3	4	5	6	7	8	9
09	5723065	09.10.2013	Shree Shankar Alankar Jewellers Main Road Jharsuguda, Odisha-768201	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
10	5723166	09.10.2013	Manimaya Jewellers Shop No. 04, Nilima Complex Delta Square, Baramunda, Bhubaneswar, District-Khurda, Odisha-751003	Gold and gold alloys, jewellery/artefacts- fineness and marking	1417			1999
11	5725372	25.10.2013	Shreeya Enterprises At:- Luabahal, PO:- Bileimunda, District-Sundargarh, Odisha-770024	Packaged drinking water, (other than packaged natural mineral water)	14543			2004
12	5725877	29.10.2013	Everest Industries Limited Somanthpur works, Plot No.Z5, IID Centare, Somanathpur, Vill-Palasandha and Telagadia, PS-Industrial Thane District-Balasore, Odisha-756019	Indian Standard corrugated and, semi-corrugated asbestos- cement sheets	459			1992
13	5725978	30.10.2013	Kaibalya Industries AT: Hotolola, Talcher District-Angul Odisha-759100	Packaged drinking water, (other than packaged natural mineral water)	14543			2004

[No. CMD/13:11]

A.K. PUROHIT, Scientist 'D'

नई दिल्ली, 5 नवम्बर, 2013

का०आ० 2482.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपविनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गए हैं, को लाइसेंस रद्द किए गए हैं:

अनुसूची

क्रम सं.	लाइसेंस संख्या सीएम/एल	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द/स्थगित करने की तिथि
01	कोई नहीं	कोई नहीं	कोई नहीं	कोई नहीं

[सं. केन्द्रीय प्रमाणन विभाग/13:11]

अक्षय कुमार पुरोहित, वैज्ञानिक 'डी'

New Delhi, the 5th November, 2013

S.O. 2482.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies the licences particulars of which are given below have been **cancelled/suspended** with effect from the date indicated against each:

SCHEDULE

Sl. No.	Licences No. CM/L-	Name & Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelling/suspension	Date of Cancellation
01	NIL	NIL	NIL	NIL

[No. CMD/13:11]

A.K. PUROHIT, Scientist 'D'

नई दिल्ली, 7 नवम्बर, 2013

का०आ० 2483.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह वे स्थापित हो गया है:-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 8130 : 2013 ऊष्मारोधी विद्युत केबलों एवं नमन कॉडों के चालकों की विशिष्टि- (दूसरा पुनरीक्षण)	-	07.11.2013

इस भारतीय मानक की एक प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली- 110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ ईटी 09/टी-45]

आर.सी. मैथ्यू, वैज्ञानिक 'एफ' एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 7th November, 2013

S.O 2483.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which is given in the Schedule hereto annexed has been issued:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 8130:2013 Conductors for insulated electric cables and flexible cords- Specification (Second Revision)	-	07.11.2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. ET 09/T-45]

R.C. MATHEW, Scientist 'F' & Head (Electrotechnical)

श्रम एवं रोजगार मंत्रालय
नई दिल्ली, 24 सितम्बर, 2013

का.आ. 2484.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बैलाडीला आयरन ओर प्रोजेक्ट जिला बिलासपुर के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 23/94) प्रकाशित करती है जो केन्द्रीय सरकार को 23/9/2013 को प्राप्त हुआ था।

[सं एल-26012/1/93-आई आर (एम)]
जोहन तोपनो, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 24th September, 2013

S.O. 2484.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 23/94) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Bailadila Iron Ore Project, District (Bilaspur) and their workman, which was received by the Central Government on 23/9/2013.

[No. L-26012/1/93-IR(M)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/23/94

Presiding Officer: Shri R.B. Patle

The Secretary,
Bastar Khadan Mazdoor Sangh (HMS),
2/B, New Colony, Kirandul,
Distt. Bastar

..... Workman/Union

Versus

The General Manager,
Bailadila Iron Ore Project,
Deposit No. 14, NMDC Ltd.,
Kirandul,
Distt. Bastar

..... Management

AWARD

Passed on this 19th day of June, 2013

1. As per letter dated 1-3-94 by the Government of India, Ministry of Labour, New Delhi, the reference is received, The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No. L-26012/1/93-IR (Misc). The dispute under reference relates to:

"Whether the action of the management of National Mineral Development Corporation Ltd., Bailadila Iron Ore Project, deposit No. 14, Kirandul in refusing special casual leave to Shri M.P. Pandey and not releasing his deducted wages for the period from 11-7-92 to 17-7-92 when he was away from head Quarters for attending the meeting of Central Advisory Committee of Iron Ore, Manganese Ore and Chrome Ore Labour Welfare Fund is correct? If not, to what relief he is entitled?"

2. After receiving reference, notices were issued to the parties. Statement of claim is submitted by Union, It is case of Ist party that Under Secretary, Government of India, Ministry of Labour requested workman Shri M.P. Pandey to attend meeting to Central Advisory Committee on 14-7-92. That Mr. Pandey was appointed as member of said Advisory Committee on 17-10-91. Mr. Pandey requested General Manager NMDC to grant 5 days special Casual leave for the period from 11-7-92 to 17-7-92. His application was rejected. Mr. Pandey was away from Headquarter during above period for 7 days. Earlier Mr. Pandey was appointed as member of Advisory Committee for M.P. He was granted special Casual Leave. It is further submitted that same dispute was filed. That as per award dated 17-3-92 workman claims to be entitled to special casual leave. The management was directed by said award for framing rules. Special Leave was rejected in disobeying the award. On such ground, workman prays for grant of special leave for the period stated above.

3. Management filed Writen Statement at Page 4/1 to 4/4. It is submitted that the service rules of standing orders do not provide for grant of special leave prayed by the workman for attending meeting of Central Advisory Committee of Iron Ore Manganese Ore and Chrome Ore Labour Welfare Fund. That the special leave cannot be claimed as right. Grant of leave is always at discretion of the management. That Special Leave claimed by Mr. Pandey for the period was rejected for proper reasons. Mr. Pandey based his claim on previous award passed by this Tribunal in R/269/89. In para-7, certain observations were made that Government concerned should take appropriate action to frame rules and regulations in said regard to that such problem do not arise in future. The said benefit was granted because the project did not pointout any rule or regulation for grant of special leave. It is further submitted that Government of India has not received any direction, guidelines for special Casual Leave for attending meeting of Advisory Committee. It is submitted that NMDC has framed its own rules for grant of Special Casual leave. However claim of Mr. Pandey is not covered by those rules. Rest of the contention of workman are denied. It is submitted that notification issued appointing member to Mr. Pandey on recommendation of Secretary of Hind Mazdoor Sabha, The said Union has meagre membership of the workman and therefore Mr. Pandey could not represent workman in

the meeting. On such ground, IInd party prays for rejection of claim of workman.

4. Rejoinder is filed by workman at page 10/1 to 10/3 reiterating its earlier contentions. Management filed rejoinder at Page 6/1 to 6/3 repeating its earlier contentions.

5. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| (i) whether the action of the management of National Mineral Development Corporation Ltd., Bailadila Iron Ore Project, deposit No. 14, Kirandul in refusing special casual leave to Shri M.P. Pandey and not releasing his deducted wages for the period from 11-7-92 to 17-7-92 is legal? | In Negative |
| (ii) If so, to what relief the workman is entitled to?" | As per final order. |

REASONS

6. In order to substantiate his claim, workman Shri M.P. Pandey examined himself at Page 13. From his evidence, documents Exhibit A to G are exhibited. Document Exhibit A is notification dated 17-10-92 Mr. Pandey was appointed as Advisory Committee member of Iron Ore, Manganese Ore and Chrome Ore Labour Welfare Fund Exhibit B is letter from Government of India, Ministry of Labour, It allow 75% travel expenses to be paid in advance to the members for attending meeting etc. Exhibit C is clarification issued by Personnel Officer. While attending such meeting, Mr. Pandey would be entitled only to special Casual Leave and shall draw TA, DA for MP State. The said letter is dated 13-5-77. Exhibit D is wireless message dated 11-5-77. Annexure E is copy of statement of claim submitted by management in Reference No. 268/89. Exhibit F is copy of award dated 17-3-92. In para-6 of the award, it is observed that Exhibit W-2 disclosed that he was directed by Manager, Industrial Relations NMDC, Hyderabad to grant Special Casual leave for attending the meeting. It shows that earlier also he was permitted to attend meeting etc. Exhibit G is application submitted to Secretary, government of India for special leave for attending the meetings On said application, it is made clear that there is no specific rule for grant of special Casual Leave. The management has produced certificate Exhibit M-3 making rules for grant of special leave. The evidence of workman M.P. Pandey is consistent with the documentary evidence. That he was granted special leave in 1977 and again as per Award in R/268/89, evidence of management's witness Shri Guruswamy is filed by way of denial that the rules do not permit grant of special casual leave. IInd party framed rules on 11-2-93. Those rules cannot have retrospective effect.

7. From documents produced on record, it is established that workman is appointed as member of the Advisory Committee. He was granted Special Casual Leave in 1997 as per Annexure C. As per award, in Reference R/ 268/89, para-7, he was granted special Casual Leave observing that steps needs to be taken. Central Government has not made rules. The rules are made by Personnel Manager of IInd party Exhibit M-3. As per Rule-A grant of Special Casual Leave is in discretion of the Projects Manager. The discretion needs to be exercised impartially. There were no rules prior to 11-2-93. The Award in R.268/89 holds the field. That workman attended the meeting of Advisory Committee, he was away from headquarter for attending the said meeting. Special leave for 7 days prayed by workman M.P. Pandey deserved to be granted. The action of the management rejecting Special Casual leave to Shri M.P. Pandey is illegal. For above reasons, I record my finding on Point No. 1 in Negative.

8. In the result, award is passed as under:—

(1) The action of the management of National Mineral Development Corporation Ltd., Bailadila Iron Ore Project, deposit No. 14, Kirandul in refusing special casual leave to Shri M.P. Pandey and not releasing his deducted wages for the period from 11-7-92 to 17-7-92 is illegal.

(2) Absence of Ist party workman Shri M.P. Pandey from office during the period 11-7-92 to 17-7-92 is treated as Special Leave. The management of IInd party is directed to pay the wages deductd from the salary of Shri M.P. Pandey for the said period he refunded to him.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R.B. PATLE, Presiding Officer

नई दिल्ली, 30 सितम्बर, 2013

का०आ० 2485.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इण्डियन एयरलाइन्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, नई दिल्ली के पंचाट (संदर्भ संख्या 27 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30/09/2013 को प्राप्त हुआ था।

[सं० एल-11012/12/2003-आई आर (सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 30th September, 2013

S.O. 2485.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 27/2007) of the Central Government Industrial Tribunal-cum-Labour

Court No. 1, New Delhi as shown in the Annexure in the Industrial Dispute between the management of M/s. Indian Airlines, and their workmen, received by the Central Government on 30/9/2013.

[No. L-11012/12/2003-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 1,
KARKARDOOMA COURTS COMPLEX, DELHI**

I.D. No. 27/2007

Shri Ashok Kumar
S/o, Shri Rajendra Prasad,
796, Pocket No. 1,
Paschim Puri,
New Delhi-110063.

.....Workman

Versus

The General Manager,
M/s. Indian Airlines,
IGI Terminal-I, Palam,
New Delhi.

.....Management.

AWARD

Erstwhile M/s. Indian Airlines (in short the Airlines) awarded contract for annual maintenance of cleaning of Aircrafts A 300 and A 320 on night halt at Indira Gandhi International Airport, New Delhi to M/s. Aroon Enterprises. Writ petitions No. 3823 of 98, and 2300 of 99 were filed by employees of the contractor for regularization of their services with the Airlines. Interim order was passed by High Court of Delhi on 10.08.1998 in writ petition No. 3827 of 98, directing the Airlines not to dispense with the services of petitioners, till disposal of the petition. Contract of M/s. Aroon Enterprises came to an end and fresh contract was awarded to M/s Sunshine Enterprises. In compliance of the interim order passed by High Court of Delhi, the Airlines wrote to the Contractor to absorb the petitioners, numbering six, in their employment. Writ petition was dismissed by the High Court in the year 2001. Services of the claimant were dispensed with by the contractor on 01.01.2002. The claimant approached the Airport Employees' Union (Redg.) (in short the Union) for redressal of his grievance. The union raised an industrial dispute before the Conciliation Officer. Since the claim was contested by the Airlines as well as the contractor, conciliation proceedings ended into a failure. On consideration of failure report, submitted by the Conciliation Officer, the appropriate Government referred the dispute to this Tribunal for adjudication, *vide* order No. L-11012/12/2003-IR (CM-I), New Delhi dated 21.02.2007, with following terms:

"Whether demand of Airport Employees Union to reinstate Shri Ashok Kumar, ex-Cleaner, with full back

wages, in the services of M/s Sunshine Enterprises or M/s Indian Airlines, is legal and justified? If so, to what relief the concerned workman is entitled?"

2. The Airlines assailed the reference order before High Court of Delhi by way of a writ petition. On 28.02.2013, Shri Ravi Gopal, Authorized Representative of the Airlines, made a statement before this Tribunal that Writ Petition has been withdrawn. Thereafter, it was ordered that notice be issued to the claimant to file his claim statement. Notice was sent to the claimant by registered post on 08.03.2013, in pursuance of order dated 28.02.2013, calling upon him to file his claim statement on or before 20.03.2013. The postal article was received back with the report that the claimant had left the address for an unknown destination. Notice was sent to the claimant at the following address: "Shri Ashok Kumar, S/o, Shri Rajendra Prasad 796, Pocket No. 1, Paschim Puri, New Delhi-110063", which address was provided by the appropriate Government in the reference order. From the above report of the postman it emerged that the claimant was not residing at the given address.

3. However, fresh notice was sent to the claimant by registered post on 18.04.2013 calling upon him to file his claim statement on or before 20.03.2013. Another notice was sent to the claimant on 23.05.2013 calling upon him to file claim statement on or before 28.06.2013. Notice was again sent to the claimant by registered post on 04.07.2013, commanding him to submit his claim statement on or before 15.07.2013. Lastly, notice was sent to the claimant on 17.07.2013 calling upon him to file his claim statement before this Tribunal on or before 01.08.2013. All these notices were received back with the report that the claimant does not reside at the given address. Therefore, efforts made by the Tribunal to call the claimant for filing his claim statement proved futile. No other address was available with the Tribunal to call the claimant to file his claim statement.

4. Since the claimant did not come forward, Airlines was called upon to place facts before the Tribunal. In its response to the reference order, the Airlines presents that it engaged services of M/s Aroon Enterprises for cleaning of Aircrafts A 300 and A 320 at night halt at Indira Gandhi International Airport, New Delhi. Annual maintenance contract for cleaning of the aforesaid aircrafts was given in favour of M/s Aroon Enterprises, after following due process. In 1998, cleaners employed by the contractor filed writ petition 3823 of 98 before the High Court of Delhi seeking their regularization in service of the Airlines. Another writ petition No. 2300 of 1999 was also filed, wherein relief of regularization in service of the Airlines was claimed by the cleaners. Writ petition filed were disposed off in the year 2001. Annual maintenance contract for cleaning of the Aircraft was sanctioned to M/s Sunshine Enterprises. Claimant was an employee of the aforesaid contractors. The Airlines never exercised control and supervision on the claimant. There was no relationship of employer and employee between the parties. Contract

entered into between the Airlines and the contractor was on principle to principle basis and as such, there never existed privity of contract between the claimant and the Airlines. Services of the claimant were not terminated by the Airlines. The Airlines claimed that the reference is liable to be answered in its favour.

5. Terminology of the reference order puts onus on the claimant to establish that demand, for his regularization in services of M/s. Sunshine Enterprises or Indian Airlines with full back wages, is legal and justified. Therefore, to discharge onus resting on him the claimant was under an obligation to establish that he was an employee of the contractor, yet the Airlines exercised administrative, financial, managerial and disciplinary control over him. It was further incumbent upon him to project that the contract entered into between the Airlines and the contractor was sham and nominal. It was also obligatory on the claimant to establish that he rendered continuous service with the contractor/the Airlines. It is also obligatory on the claimant to establish that termination of his services by M/s. Sunshine Enterprises/Indian Airlines was illegal and not in consonance with provisions of industrial law. Instead of discharging onus resting on him, claimant opted not to participate in the proceedings. Thus, it is evident that there is complete vacuum of evidence on behalf of the claimant. Resultantly, it cannot be concluded that the claimant has not been able to establish that his demand for reinstatement in service with M/s. Sunshine Enterprises or Indian Airlines with full back wages was legal and justified. Claimant is not entitled to any relief. An award is accordingly passed in favour of the Airlines and against the claimant. It be sent to the appropriate Government for publication.

Dated : 21-8-2013

Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 30 सितम्बर, 2013

कांआ 2486.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इण्डियन एयरलाइन्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों को उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1 नई दिल्ली के पंचाट (संदर्भ संख्या 29 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30/09/2013 को प्राप्त हुआ था।

[सं एल-11012/13/2003-आई आर (सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 30th September, 2013

S.O. 2486.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.29/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1,

New Delhi as shown in the Annexure, in the industrial dispute between the management of Indian Airlines Ltd., and their workmen, received by the Central Government on 30/09/2013.

[No. L-11012/13/2003-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 1,
KARKARDOOMA COURTS COMPLEX DELHI**

I.D. No. 29/2007

Shri Vijay Singh Rawat
S/o Lt. Sh. Kundan Singh Rawat,
796, Pocket No. I,
Paschim Puri,
New Delhi-110063.

....Workman

Versus

The General Manager,
M/s. Indian Airlines,
IGI Terminal-I, Palam,
New Delhi.

.....Management

AWARD

Erstwhile M/s. Indian Airlines (in short the Airlines) awarded contract for annual maintenance of cleaning of Aircrafts A 300 and A 320 on night halt at Indira Gandhi International Airport, New Delhi to M/s. Aroon Enterprises. Writ petitions No. 3823 of 98, and 2300 of 99 were filed by employees of the contractor for regularization of their services with the airlines. Interim order was passed by High Court of Delhi on 10.08.1998 in writ petition No. 3827 of 98, directing the Airlines not to dispense with the services of petitioners, till disposal of the petition. Contract of M/s. Aroon Enterprises came to an end and fresh contract was awarded to M/s. Sunshine Enterprises. In compliance of the interim order passed by High Court of Delhi, the Airlines wrote to the Contractor to absorb the petitioners, numbering six, in their employment. Writ petition was dismissed by the High Court in the year 2001. Services of the claimant were dispensed with by the contractor on 01.01.2002. The claimant approached the Airport Employees' Union (Regd.) (in short the Union) for redressal of his grievances. The union raised an industrial dispute before the Conciliation Officer. Since the claim was contested by the Airlines as well as the contractor, conciliation proceedings ended into a failure. On consideration of failure report, submitted by the Conciliation Officer, the appropriate Government referred the dispute to this Tribunal for adjudication, *vide* order No. L-11012/13/2003-IR(CM-I), New Delhi dated 21.02.2007, with following terms:

"Whether demand of Airtort Employees Union to reinstate Shri Vijay Singh Rawat, ex-Cleaner, with full back wages, in the services of M/s. Sunshine Enterprises or M/s Indian Airlines, is legal and justified? If so, to what relief the concerned workman is entitled?"

2. The Airlines assailed the reference order before High Court of Delhi by way of a writ petition. On 28.02.2013, Shri Ravi Gopal, Authorized Representative of the Airlines, made a statement before this Tribunal that Writ Petition has been withdrawn. Thereafter, it was ordered that notice be issued to the claimant to file his claim statement. Notice was sent to the claimant by registered post on 08.03.2013, in pursuance of order dated 28.02.2013, calling upon him to file his claim statement on or before 20.03.2013. The postal article was received back with the report that the claimant had left the address for an unknown destination. Notice was sent to the claimant at the following address. "Shri Vijay Singh Rawat, S/o Lt. Shri Kundan Singh Rawat, 796, Pocket No. 1, Paschim Puri, New Delhi-110063", which address was provided by the Appropriate Government in the reference order. From the above report of the postman it emerged that the claimant was not residing at the given address.

3. However, fresh notice was sent to the claimant by registered post on 18.04.2013 calling upon him to file his claim statement on or before 20.03.2013. Another notice was sent to the claimant on 23.05.2013 calling upon him to file claim statement on or before 28.06.2013. Notice was again sent to the claimant by registered post on 04.07.2013, commanding him to submit his claim statement on or before 15.07.2013. Lastly, notice was sent to the claimant on 17.07.2013 calling upon him to file his claim statement before this Tribunal on or before 01.08.2013. All these notices were received back with the report that the claimant does not reside at the given address. Therefore, efforts made by the Tribunal to call the claimant for filing his claim statement proved futile. No other address was available with the Tribunal to call the claimant to file his claim statement.

4. Since the claimant did not come forward, Airlines was called upon to place facts before the Tribunal. In its response to the reference order, the Airlines presents that it engaged services of M/s. Aroon Enterprises for cleaning of Aircrafts A 300 and A 320 at night halt at Indira Gandhi International Airport, New Delhi. Annual maintenance contract for cleaning of the aforesaid aircrafts was given in favour of M/s. Aroon Enterprises, after following due process. In 1998, cleaners employed by the contractor filed writ petition 3823 of 98 before the High Court of Delhi seeking their regularization in service of the Airlines. Another writ petition No. 2300 of 1999 was also filed, wherein relief of regularization in service of the Airlines was claimed by the cleaners. Writ petition filed were disposed off in the

year 2001. Annual maintenance contract for cleaning of the Aircraft was sanctioned to M/s Sunshine Enterprises. Claimant was an employee of the aforesaid contractors. The Airlines never exercised control and supervision on the claimant. There was no relationship of employer and employee between the parties. Contract entered into between the Airlines and the contractor was on principle to principle basis and as such, there never existed privity of contract between the claimant and the Airlines. Services of the claimant were not terminated by the Airlines. The Airlines claimed that the reference is liable to be answered in its favour.

5. Terminology of the reference order puts onus on the claimant to establish that demand, for his regularization in services of M/s. Sunshine Enterprises or Indian Airlines with full back wages, is legal and justified. Therefore, to discharge onus resting on him the claimant was under an obligation to establish that he was an employee of the contractor, yet the Airlines exercised administrative, financial, managerial and disciplinary control over him. It was further incumbent upon him to project that the contract entered into between the Airlines and the contractor was sham and nominal. It was also obligatory on the claimant to establish that he rendered continuous service with the contractor/the Airlines. It is also obligatory on the claimant to establish that termination of his services by M/s. Sunshine Enterprises/Indian Airlines was illegal and not in consonance with provisions of industrial law. Instead of discharging onus resting on him, claimant opted not to participate in the proceedings. Thus, it is evident that there is complete vacuum of evidence on behalf of the claimant. Resultantly, it cannot be concluded that the claimant has not been able to establish that his demand for reinstatement in service with M/s. Sunshine Enterprises or Indian Airlines with full back wages was legal and justified. Claimant is not entitled to any relief. An award is accordingly passed in favour of the Airlines and against the claimant. It be sent to the appropriate Government for publication.

Dated : 21-8-2013

Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 30 सितम्बर, 2013

कांआ 2487.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन एयरलाइन्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, नई दिल्ली के पंचाट (संदर्भ संख्या 30 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30/09/2013 को प्राप्त हुआ था।

[सं० एल-11012/16/2003-आई आर (सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 30th September, 2013

S.O. 2487.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 30/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour court No. 1, New Delhi as shown in the annexure, in the industrial dispute between the management of M/s Indian Airlines Ltd., and their workmen, received by the Central Government on 30/09/2013.

[No. L-11012/16/2003 -IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 1,
KARKARDOOMA COURTS COMPLEX, DELHI**

I.D. NO. 30/2007

Shri Avijit Kumar Bose
S/o Late Sh. Ajit Kumar Bose,
796, Pocket No. 1,
Pashim Puri,
New Delhi-110063.

....Workman

Versus

The General manager,
M/s Indian Airlines,
IGL Terminal-I, Palam,
New Delhi.

....Management

AWARD

Erstwhile M/s. Indian Airlines (in short the airlines) awarded contract for annual maintenance of cleaning of Aircrafts A 300 and A 320 on night halt at Indira Gandhi International Airport, New Delhi to M/s Aroon Enterprises. Writ petitions No. 3823 of 98, and 2300 of 99 were filed by employees of the contractor for regularization of their services with the Airlines. Interim order was passed by High Court of Delhi on 10.08.1998 in writ petition No. 3827 of 98, directing the Airlines not to dispense with the services of petitioners, till disposal of the petition. Contract of M/s. Aroon Enterprises came to an end and fresh contract was awarded to M/s. Sunshine Enterprises. In compliance of the Interim order passed by High Court of Delhi, the Airlines wrote to the Contractor to absorb the petitioners, numbering six, in their employment. Writ petition was dismissed by the High Court in the year 2001. Services of the claimant were dispensed with by the contractor on 01.01.2002. The claimant approached the Airport Employees' Union (regd.) (in short the Union) for redressal of his grievances. The union raised an industrial dispute before the Conciliation Officer. Since the claim was contested by

the Airlines as well as the contractor, conciliation proceedings ended into a failure. On consideration of failure report, submitted by the Conciliation Officer, the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-11012/16/2003-IR(CM-I), New Delhi dated 21.02.2007, with following terms:

"Whether demand of Airport Employees Union to reinstate Shri Avijit Kumar Bose, ex-Cleaner, with full back wages, in the services of M/s. Sunshine Enterprises of M/s. Indian Airlines, is legal and justified? If so, what relief the concerned workman is entitled?"

2. The Airlines assiled the reference order before High Court of Delhi by way of a writ petition. On 28.02.2013, Shri Ravi Gopal, Authorized Representative of the Airlines, made a statement before this Tribunal that Writ Petition has been withdrawn. Thereafter, it was ordered that notice be issued to the claimant to file his claim statement. Notice was sent to the claimant by registered post on 08.03.2013, in pursuance of order dated 28.02.2013, calling upon him to file his claim statement on or before 20.03.2013. The postal article was received back with the report that the claimant had left the address for an unknown destination. Notice was sent to the claimant at the following address. "Shri Avijit Kumar Bose. S/o Shri Ajit Kumar Bose, 796, Pocket No. 1, Paschim Puri, New Delhi-110063", which address was provided by the Appropriate Government in the reference order. From the above report of the postman it emerged that the claimant was not residing at the given address.

3. However, fresh notice was sent to the claimant by registered post on 18.04.2013 calling upon him to file his claim statement on or before 20.03.2013. Another notice was sent to the claimant on 23.05.2013 calling upon him to file claim statement on or before 28.06.2013. Notice was again sent to the claimant by registered post on 04.07.2013, commanding him to submit his claim statement on or before 15.07.2013. Lastly, notice was sent to the claimant on 17.07.2013 calling upon him to file his claim statement before this Tribunal on or before 01.08.2013. All these notices were received back with the report that the claimant does not reside at the given address. Therefore, efforts made by the Tribunal to call the claimant for filing his claim statement proved futile. No other address was available with the Tribunal to call the claimant to file his claim statement.

4. Since the claimant did not come forward, Airlines was called upon to place facts before the Tribunal. In its response to the reference order, the Airlines presents that it engaged services of M/s. Aroon Enterprises for cleaning of Aircrafts A 300 and A 320 at night halt at Indira Gandhi International Airport, New Delhi. Annual maintenance contract for cleaning of the aforesaid aircrafts was given in favour of M/s. Aroon Enterprises, after following due process. In 1998, cleaners employed by the contractor filed

writ petition 3823 of 98 before the High Court of Delhi seeking their regularization in service of the Airlines. Another writ petition No. 2300 of 1999 was also filed, wherein relief of regularization in service of the Airlines was claimed by the cleaners. Writ petition filed were disposed off in the year 2001. Annual maintenance contract for cleaning of the Aircraft was sanctioned to M/s Sunshine Enterprises. Claimant was an employee of the aforesaid contractors. The Airlines never exercised control and supervision on the claimant. There was no relationship of employer and employee between the parties. Contract entered into between the Airlines and the contractor was on principle to principle basis and as such, there never existed privity of contract between the claimant and the Airlines. Services of the claimant were not terminated by the Airlines. The airlines claimed that the reference is liable to be answered in its favour.

5. Terminology of the reference order puts onus on the claimant to establish that demand, for his regularization in services of M/s Sunshine Enterprises or Indian Airlines with full back wages, is legal and justified. Therefore, to discharge onus resting on him the claimant was under an obligation to establish that he was an employee of the contractor, yet the Airlines exercised administrative, financial, managerial and disciplinary control over him. It was further incumbent upon him to project that the contract entered into between the Airlines and the contractor was sham and nominal. It was also obligatory on the claimant to establish that he rendered continuous service with the contractor the Airlines. It is also obligatory on the claimant to establish that termination of his service by M/s. Sunshine Enterprises/Indian Airlines was illegal and not in consonance with provisions of industrial law. Instead of discharging onus resting on him, claimant opted not to participate in the proceedings. Thus, it is evident that there is complete vacuum of evidence on behalf of the claimant. Resultantly, it cannot be concluded that the claimant has not been able to establish that the demand for reinstatement in service with M/s Sunshine Enterprises or Indian Airlines with full back wages was legal and justified. Claimant is not entitled to any relief. An award is accordingly passed in favour of the Airlines and against the claimant. It be sent to the appropriate Government for publication.

Dated : 21-8-2013

Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 30 सितम्बर, 2013

कांआ 2488.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन एयरलाइन्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, नई दिल्ली के पंचाट (संदर्भ संख्या 28 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30/09/2013 को प्राप्त हुआ था।

[सं एल-11012/14/2003 आईआर(सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 30th September, 2013

S.O. 2488.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 28/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure, in the industrial dispute between the management of M/s Indian Airlines Ltd., and their workmen, received by the Central Government on 30/09/2013.

[No. L-11012/14/2003-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 1,
KARKARDOOMA COURTS COMPLEX, DELHI**

I.D. NO. 28/2007

Shri Sunil Kumar
S/o Shri Amar Singh,
796, Pocket No. 1,
Pashim Puri,
New Delhi-110063

....Workman

Versus

The General Manager,
M/s Indian Airlines,
IGL Terminal-I, Palam,
New Delhi

....Management

AWARD

Erstwhile M/s Indian Airlines (in short the airlines) awarded contract for annual maintenance of cleaning of Aircrafts A 300 and A 320 on night halt at Indira Gandhi International Airport, New Delhi to M/s Aroon Enterprises. Writ petitions No. 3823 of 98, and 2300 of 99 were filed by employees of the contractor for regularization of their services with the Airlines. Interim order was passed by High Court of Delhi on 10.08.1998 in writ petition No. 3827 of 98, directing the Airlines not to dispense with the services of petitioners, till disposal of the petition. Contract of M/s Aroon Enterprises came to an end and fresh contract was awarded to M/s Sunshine Enterprises. In compliance of the Interim order passed by High Court of Delhi, the Airlines wrote to the Contractor to absorb the petitioners,

numbering six, in their employment. Writ petition was dismissed by the High Court in the year 2001. Services of the claimant were dispensed with by the contractor on 01.01.2002. The claimant approached the Airport Employees' Union (Regd.) (in short the Union) for redressal of his grievances. The union raised an industrial dispute before the Conciliation Officer. Since the claim was contested by the Airlines as well as the contractor, conciliation proceedings ended into a failure. On consideration of failure report, submitted by the Conciliation Officer, the appropriate Government referred the dispute to this Tribunal for adjudication, *vide* order No. L-11012/14/2003-IR(CM-I), New Delhi dated 21.02.2007, with following terms:

"Whether demand of Airport Employees Union to reinstate Shri Sunil Kumar, ex-Cleaner, with full back wages, in the services of M/s. Sunshine Enterprises of M/s. Indian Airlines, is legal and justified? If so, to what relief the concerned workman is entitled?"

2. The Airlines assailed the reference order before High Court of Delhi by way of a writ petition. On 28.02.2013, Shri Ravi Gopal, Authorized Representative of the Airlines, made a statement before this Tribunal that Writ Petition has been withdrawn. Thereafter, it was ordered that notice be issued to the claimant to file his claim statement. Notice was sent to the claimant by registered post on 08.03.2013, in pursuance of order dated 28.02.2013, calling upon him to file his claim statement on or before 20.03.2013. The postal article was received back with the report that the claimant had left the address for an unknown destination. Notice was sent to the claimant at the following address: "Shri Sunil Kumar, S/o Shri Amar Singh, 796, Pocket No.1, Paschim Puri, New Delhi-110063", which address was provided by the Appropriate Government in the reference order. From the above report of the postman it emerged that the claimant was not residing at the given address.

3. However, fresh notice was sent to the claimant by registered post on 18.04.2013 calling upon him to file his claim statement on or before 20.03.2013. Another notice was sent to the claimant on 23.05.2013 calling upon him to file claim statement on or before 28.06.2013. Notice was again sent to the claimant by registered post on 04.07.2013, commanding him to submit his claim statement on or before 15.07.2013. Lastly, notice was sent to the claimant on 17.07.2013 calling upon him to file his claim statement before this Tribunal on or before 01.08.2013. All these notices were received back with the report that the claimant does not reside at the given address. Therefore, efforts made by the Tribunal to call the claimant for filing his claim statement proved futile. No other address was available with the Tribunal to call the claimant to file his claim statement.

4. Since the claimant did not come forward, Airlines was called upon to place facts before the Tribunal. In its

response to the reference order, the Airlines presents that it engaged services of M/s. Aroon Enterprises for cleaning of Aircrafts A 300 and A 320 at night halt at Indira Gandhi International Airport, New Delhi. Annual maintenance contract for cleaning of the aforesaid aircrafts was given in favour of M/s. Aroon Enterprises, after following due process. In 1998, cleaners employed by the contractor filed writ petition 3823 of 98 before the High Court of Delhi seeking their regularization in service of the Airlines. Another writ petition No.2300 of 1999 was also filed, wherein relief of regularization in service of the Airlines was claimed by the cleaners. Writ petition filed were disposed off in the year 2001. Annual maintenance contract for cleaning of the Aircraft was sanctioned to M/s. Sunshine Enterprises. Claimant was an employee of the aforesaid contractors. The Airlines never exercised control and supervision on the claimant. There was no relationship of employer and employee between the parties. Contract entered into between the Airlines and the contractor was on principle to principle basis and as such, there never existed privity of contract between the claimant and the Airlines. Services of the claimant were not terminated by the Airlines. The Airlines claimed that the reference is liable to be answered in its favour.

Terminology of the reference order puts onus on the claimant to establish that demand, for his regularization in services of M/s. Sunshine Enterprises or Indian Airlines with full back wages, is legal and justified. Therefore, to discharge onus resting on him the claimant was under an obligation to establish that he was an employee of the contractor, yet the Airlines exercised administrative, financial, managerial and disciplinary control over him. It was further incumbent upon him to project that the contract entered into between the Airlines and the contractor was sham and nominal. It was also obligatory on the claimant to establish that he rendered continuous service with the contractor/ the Airlines. It is also obligatory on the claimant to establish that termination of his services by M/s. Sunshine Enterprises/Indian Airlines was illegal and not in consonance with provisions of industrial law. Instead of discharging onus resting on him, claimant opted not to participate in the proceedings. Thus, it is evident that there is complete vacuum of evidence on behalf of the claimant. Resultantly, it cannot be concluded that the claimant has not been able to establish that his demand for reinstatement in service with M/s. Sunshine Enterprises or Indian Airlines with full back wages was legal and justified. Claimant is not entitled to any relief. An award is accordingly passed in favour of the Airlines and against the claimant. It be sent to the appropriate Government for publication.

Dated : 21-8-2013

Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2013

SCHEDULE

का०आ० 2489.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 43 को 2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/430/1999-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 3rd October, 2013

S.O. 2489.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 43/2000) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 03/10/2013.

[No. L-20012/430/1999-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No.2), AT DHANBAD**

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (I)
(d) of the I. D. Act, 1947.

REFERENCE NO. 43 OF 2000

Parties : Mr. Madho Singh (Workmen)

Vs. General Manager, Kustore
Area of M/s. BCCL, Dhanbad

Appearances :

On behalf of the workman : Mr. Shekhar Sharma
Ld. Advocate

On behalf of the Management : Mr. D.K. Verma, Ld. Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad,
the 21 May, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/430/99-IR (C-1) dt. 28.02.2000.

"Whether the action of the management of M/s. BCCL Kustore Area in dismissing Sh. Madho Singh, Loader from service *w.e.f.* 17.9.92 on grounds of unauthorized absence is justified? If not, to what relief the workman is entitled?"

2. The case of work man Madho Singh as pleaded in his written statement is that though he had been unblemishedly working as M/Loader in Similabahal Colliery of M/s. BCCL since long, he unluckily could not perform his duty from 1983 to 27.11.1997 due to his mental sickness and his treatment at Kanke Mental Hospital during the said period. After his discharge from the Hospital, when he reported for duty to the Manager of the Colliery he was handed over his dismissal order dt. 17.9.1992. He represented to the management for his reinstatement as his absence was due to the circumstances beyond his control. It came to his knowledge of the chargesheet having been issued for alleged misconduct of unauthorized absentism and of his dismissal on the ex-parte inquiry for his unauthorized absence from duty. Absence is not a misconduct and absence beyond ten days without permission or information for unsatisfactory reason is a misconduct under the provision of the Certified Standing Order applicable to the Colliery. His absence was due to illness and subsequent long treatment at Kanke Mental Hospital, Ranchi. The ex-parte enquiry in violation of the principal of natural justice. His dismissal was based on untenable charge, so it was illegal; he is sitting idle from 22.11.1997. The action of the Management in dismissing him from service *w.e.f.* 17.9.92 is quite illegal, arbitrary and unjustified. Thus, the workman sought for declaration of the Management action of his dismissal as illegal and unjustified, for his re-instatement in his service with its continuity with full wages for the aforesaid idle period, and for any other proper relief.

3. The workman in his rejoinder with specific denials has stated that he had no knowledge of what the management did during his hospitalization at Ranchi Mansik Arogyalaya Kanke, Ranchi. The Enquiry was formal by the prejudiced Enquiry Officer. No alleged misconduct of serious nature has been established anywhere that he knowingly committed the wrong doing. The punishment of dismissal is disproportionate to the alleged gravity of the misconduct.

4. Whereas the contra pleaded case of the O.P./ Management with categorical denials is that the reference is unmaintainable both in law and facts. The workman Madho Singh @ Madho Mahato, the Miner Loader of the Similabahal Colliery of Kustore Area of M/s. BCCL unauthorizedly absented from his duty from 6.1.1983, for which he was chargesheeted as per the letter dt. 25.5.1998 as per the provision of the Standing Order of the Company. A copy of the chargesheet was posted on Notice Board of

the Colliery as also one copy of it was posted to him on his home address by the Registered post just the notice of the enquiry by registered [post sent on his home address, thereafter Sri C. K. Pandey, Dy. Personnel Manager was appointed as the Enquiry Officer for the domestic enquiry. Even at the notice of the enquiry being published in the daily 'AAJ' dt.25.8.1992, when the workman did not appear, the Enquiry Officer ex-parte conducted the enquiry in accordance with the Rules of Natural Justice. He found the charges proved against the workman for unauthorized absence beyond the reasonable doubt, and submitted his report to the management. After considering the enquiry proceeding and the enquiry report impartially, the Disciplinary authority dismissed from service as per Order dt.17.09.1992 in view of the gravity of the misconduct affecting the discipline and the employees of the Company, and the financial loss to the Company thereby. Therefore the action of the Management in dismissing the workman is legal and justified in view of the grave unauthorized misconduct for a long time.

5. The O.P./Management in rejoinder categorically denying the allegations of the workman has pleaded the dismissal of the workman as legal, as the domestic enquiry held ex-parte for non-appearance of the workman even after publication of it in the News Paper.

Finding With Reasoning

6. In the instant case, when the O.P./Management despite sufficient opportunity failed to produce any witness at the preliminary issue of the fairness of the domestic enquiry, the Tribunal by its Order No.16 dt.14.09.2005 held that there was no scope for conclusion as to the domestic enquiry as fair, proper and according to the principles of natural justice.

Then MWI Sanjay Kumar Bharti, Sr. Personnel Officer, Simlabahal Colliery for the O.P./Management and MWI Madho Singh, the workman for himself has been examined on merits.

7. According to MWI Sanjay Kumar Bharti, when workman Madho Singh, the M/Loader began to unauthorizedly absent from his duty since 6.1.1983, he was issued the chargesheet dt. 26.5.1988 (Ext. M.1). On receipt of it, when he did not reply to it, the enquiry was set up as per the appointment of Mr. C.K. Pandey as the Officer (Ext. M. 2), who issued the Regd. Notices of the Enquiry and even published it in the daily Newspaper 'AAJ' on 25th August, 1992 (Ext. M. 6 series), but even then the workman did not appear in the enquiry, he (MWI) held the domestic enquiry as per the enquiry proceeding (Ext. M. 3 Series into nine sheets), and submitted his enquiry report dt. 2.9.1992 (Ext. M. 4), thereafter the workman was dismissed as per the letter No.1189 dt.15/17.9.1992 (Ext. M. 5). further, the management witness affirmed that after five years of his dismissal, the workman filed his reply

dt. 31.12.1997 under his signature (Ext. M. 7), none of his relatives represented to the management any time between the period 6.1.1983 to 31.12.1997 about his illness, so his dismissal was justified. Mr. Shekhar Sharma, Learned Advocate for the workman has fully cross examined the MWI, who specifically denied the allegation that despite full knowledge of the management about the admission of the workman in Mental Hospital, Kanke for his mental treatment for the said period, the management had intentionally illegally dismissed him.

8. Whereas the statement of WWI Madho Mahato, the workman himself, reveals that he worked as M/Loader at Bhalgora Simlabahal Colliery from 1993, but he was getting treated at Mental Hospital, Kanke, from 1987 to 27.11.1993 for the brain as per the Certificate dt.28.11.1997 along with the prescription (two sheets) both dt. 28.11.1997 and another certificate dt. 5.1.1999 issued by the Medical Supdt. Ranchi, Kanke, Ranchi (both certificates — Ext. W. 1 and 1/1 respectively); on his recovery from mental illness, when he along with his said documents went to attend his service at the Colliery, he was not given the service, rather his dismissal letter was handed over to him, and he for the first time knew his dismissal. He (WWI) has further to say that he had neither got the chargesheet nor had the information of the enquiry. But the workman evidently admitted that there was no information of his mental treatment at the aforesaid mental institute Kanke, Ranchi, to the management. Yet the action of the Management in dismissing him is alleged as wrong, so he claimed for his service with financial benefits.

9. The workman in his cross-examination has admitted to have been though present from 6th Jan., 1983 yet factually hospitalized at Kanke Mental Hospital from 11th Jan. to 6th July, 1989, and to have filed his reply dt. 31.12.1997 (Ext. M. 7) to the Chargesheet. It clearly indicates his reply was not prior to his hospitalization at Kanke. His admission affirms that Dr. Arun Kumar Gupta, issuing his first certificate dt.28.11.1997 (two sheets Ext. M. 1) was not the Doctor of the said Kanke Hospital, but his second certificate (Ext. W. 1/1) was issued by the said Mental Hospital, Kanke. The second Certificate was issued by the said Hospital on 5.1.1999 after eleven months from his discharge from the Hospital, where he was apparently treated for five months twenty five days only. But the utter failure of the workman in establishing when he had informed the management of his mental Illness/treatment stands proved his unauthorized long absence from his duty. Moreover, his reply dt. 31.12.1997 to the chargesheet appears to be contradictory and baseless.

10. Mr. Shekhar Sharma, the Learned Counsel for the workman has submitted that it is very unfortunate and illegal that the workman was dismissed from his service on 17.9.1992 but the management issued Chargesheet on 31.12.1997 to the delinquent and on that score, the dismissal

of the workman is illegal, so he is entitled to his re-instatement in his service with full back wages and other benefits. The Ld. Advocate for the workman has relied upon 2012(135) FLR 963 (Gen. H.C.) (DB), *Sr. Manager, Kellyden Estate Vs. P.O., Labour Court, Assam*. It relates in the reference with Sec. 33(2) and (2)(b) of the Industrial Dispute Act, 1947, to the facts that in order to make a prime facie case and to show action taken as bonafide, the Authorities had created circumstances to compel the workman to remain absent so that action would be taken against him; on appreciation of legal evidence available on record, dismissal order was rather found too heavy a punishment which could have been awarded by the Management, but in facts and circumstances, the award of punishment lost its significance when there was a finding that the action was not bonafide on the part of the management, the Labour Court had observed that no prime facie case when there was no notice served on the workman while the proceeding was initiated; the Labour Court rightly not accorded approval to the order of the dismissal; so their Lordships held no interference warranted, hence the petition was dismissed (Paras 27, 28, 32 to 36).

11. Whereas Mr. D.K. Verma, the Learned Advocate for the O.P./management has contended that aforesaid ruling has not resemblance in the facts of the present case, so it is inapplicable to the present case in which the workman has appeared five years after his long unauthorized absentism, so his dismissal from the service in view of the gravity of his absentism of his misconduct was quite justified.

12. The plea of Mr. Sharma, Learned Counsel for the workman about the issuance of the chargesheet to the workman on alleged date 31st Dec., 1997 appears to be quite baseless and highly unreasonable, because, the chargesheet dt. 26.5.1988 (Ext. M.1) was issued to him on his home address in due course of time prior to his dismissal for his unauthorized absentism. So far as the applicability of the said ruling is concerned, in the present reference case under an adjudication, the workman has no case of any circumstances created by the management to compel him to remain absent, rather not only the Notice of enquiry dt. 11.8.1992 (Ext. M. 2) through Registered Post but also its publication in the daily news paper "AAJ" dt. 11/18.8.1992 (Ext. M. 6 series) was effected on the local as well as on Home address of the workman for his appearance in the domestic enquiry. So the said authority holds not good with the present case.

13. On perusal and consideration of the materials on the case record, I find the following facts as such:

- (i) The workman had been working as M/Loader at Bhalgora Shimla Bhahal Colliery since 1983, as stated in his evidence;
- (ii) He began to unauthorizedly absent from his duty since 6.1.1983, so he was issued the chargesheet

dt. 26.5.1988 by the O.P./management for his absentism amounting to the misconduct under clause 17.8. of the Certified Standing Orders for workmen of Establishments under BCCL (Ext. M. 2).

- (iii) Despite the chargesheet, though Regd. Post, the Notice of the Enquiry dt. 11.8.1992 (Ext. M. 2) through Regd. Posts and its publication in the Daily "AAJ" dt.11/18.8.1992 (Ext. 6 series) on both the addresses local and home of the workman, he did not appear in the enquiry, hence the domestic enquiry was ex-parte held wherein his guilt of unauthorized absentism was proved.
- (iv) The workman was dismissed for his grave misconduct of absentism for his long years as per dismissal order dt. 15/17.9.1992 of the Competent Authority of the BCCL (Ext. M. 5), but the O.P./Management has no proof of the second Show Cause to the workman for his long absentism.
- (v) The workman failed to justify his long unauthorized absence from his duty, as his medical certificate dt. 5.1.1999 issued by the Medical Superintendent, Ranchi Mental Hospital, Kanke (Ext. M. 1/1) indicates his treatment of his mental illness for five months 25 days from 11.1.1989 to 6.7.1989, the dates of his admission to discharge respectively.

Under these circumstances, I find and hold that the workman deserves lesser punishment of keeping him on the "Badli" list as per mandatory clause 7.8. of the Certified Standing Order of the BCCL, as his punishment of dismissal appears to be too much harsh in view of the nature of his absentism. Hence, it is hereby, responded to the reference, and

ORDERED

The Award be and the same as passed that the action of the management of BCCL, Kustore area in dismissing Sri Madho Singh, Loader from service w.e.f. 17.7.1992 on ground of unauthorized absence is unjustified. As per the mandatory clause 17.8 of the Certified Standing Order of BCCL, the workman is entitled to keeping him on the "Badli" List with 50% back wages from the date of joining as "Badli", if not superannuated but in case of his superannuation, he shall be entitled to 50% back wages from the date of 28th Feb., 2000, the date of his Reference Case till its realization, otherwise with 9% interest over it, as he had lost his lien on his appointment.

The O.P./Management shall implement it, as may be, within a month from the date of the publication of the Award in the Gazette of India. Let the copies — one Soft and one Hard— of the Award be sent to the Ministry of Labour & Employment, Government of India, New Delhi for information and needful.

KISHORI RAM, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2013

कांआ 2490.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं 2, धनबाद के पंचाट (संदर्भ संख्या 08/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03/10/2013 को प्राप्त हुआ था।

[सं एल-20012/166/1998-आई आर (सी-1)]
एम के सिंह, अनुभाग अधिकारी

New Delhi, the 3rd October, 2013

S.O. 2490.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 08/1999) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of M/s. E.C.L. and their workmen, received by the Central Government on 03/10/2013.

[No. L-20012/166/1998-IR(C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 8 of 1999

Parties : President,
CCEMA, Chirkunda, Dhanbad
Vs. General Manager,
Mugma Area of M/s. E.C.L.,
Dhanbad

APPEARANCES:

On behalf of the : None
Workman
On behalf of the : None
Management
State : Jharkhand
Industry : Coal

Dated, Dhanbad, the 14th June, 2013.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on then under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/166/98-IR(C-I) dt. 16.12.1998.

SCHEDULE

"Whether the demand of the Union of promotion in Spl. Grade of S/Shri B.M. Ghosh & 21 Others

Clerks Gr. I w.e.f. 9.12.1986 (Annexure enclosed) on the basis of getting financial benefit through SLU in clerical Grade I since 1989 is justified? If not, what relief the concerned workman is entitled to?"

2. The case of the Union CCMEA, Chirkunda, Dhanbad, for S/Shri B.M. Ghosh and 21 Others workmen as pleaded in its written statement (with its annexure) is that in view of day to day co-operation and adjustment between both the parties, the representative Union of the employees approached the management more than once to settle the dispute through adoption and adjustment based on agreed conciliation for granting them individually the prevailing Spl. Grade in view of their length of services, but the management withheld their individually promotion unjustifiably, as almost all of the employees concerned were promoted only once to the Grade II during the years 1974 to 1976; though the management showed its features, *i.e.*, eagerness for collective bargaining, the capacity to give and take factors, and the perception to determine the limits of acceptability. Yet the management as per its Office Order No. ECL/P/96/:6059/1088 dt. 6/9.12.1996 in utter violation of the principles of Industrial relations, Rules & Regulations referred to the factor that whoever has completed 12 years or more in the same grade has been promoted in Grade I as per the Circular No. ECL/CMD/C10/C-6E/96/10/1043 dt. 23.09.1996. Besides improper adjustment against the wage structure in issue ought not to be yardstick of the management. The employees raised the dispute for its solution through bargaining, consequently the notice dt. 08.10.1996 for going on strike was served upon the management. The President of the Association appreciated that negotiations at the Undertaking level as more suitable, so he allowed the management to assure its responsibility and to limit the scope of any industrial dispute. At last, the resort to its solution through "Mediation preferably and thereafter 'conciliation' which took two years also failed due to inability of the management, though the A.L.C.(C) had called for relevant documents during the conciliation proceedings, in which the management had admitted not to have maintained and preserved the service records of its employees in question. It is note worthy that the name of Shri K.N. Singh, then Personnel Manager assisting Valley Refractories Ltd., was proposed as an arbitrator, and Miss Sima Dutta, a Junior Advocate of Dhanbad Court as his Assistant in respect of interpretation of contracts etc. for an Award in the reference. The failure in its reconciliation resulted in the reference for an adjudication.

3. No rejoinder filed by the Association Representative for the workmen in the case.

4. Whereas the contra pleaded case of the O.P./ Management with categorical denials is that the present reference is unmaintainable, that Sri B.M. Ghosh and others belonged to the clerical Grade, and were working as Grade II Clerks at different places of Mugma Area while the

provisions of NCWA IV came into force. As per the provision of NCWA IV, the workmen stagnant in the one Grade for more than 10 years were eligible to be placed one Grade higher as a Service Link Upgradation (SLU). The workmen concerned completing more than 10 years of service in Grade II in the year 1989 were upgraded to Grade I in the same year as the aforesaid provision of NCWA. With the upgradation of any workman, his basis salary in his existing grade is adjusted in the higher Grade, so he does not get any promotional benefit of one increment. Thus, the workman who were fixed in Grade I in the year 1989, taking into account their basic wages in Grade II, they were receiving at the relevant time. As per policy decision in the year 1996 to grant promotion to next higher grade within a period of 12 years as a special case, the workmen were promoted to Grade I by giving them promotion benefits, as by that time they had completed more than 12 years in Grade II, and they were working in grade II even after their upgradation to Grade I under SLU. As such they were given the benefits of the provision of NCWA IV as well as the special provision approved by the management in view of no vacancy, the workmen concerned were not promoted to Grade I post despite several years of stagnation, and so they were promoted to Grade I as a special case. As regards to the workmen, the management cannot grant promotion to them to the special Grade in the year 1996 for the reason of the disturbance in the entire Administration in respect of implementing SLU as per NCWA, promotion as per Cadre Scheme, and for financial liability. Thus the demand of the workmen was unreasonable and contrary to the provision of the NCWA IV and the Cadre Scheme of the Company. They are not entitled to any relief.

5. The O.P./management in its rejoinder has categorically denied all the allegations of the workmen and stated that the management granted promotion as a special measure to the concerned workmen along with others in Grade I according to the circular of the Head-quarter.

FINDING WITH REASONING

6. In the instant reference, WWI Dibakar Mahato (Sl. No. 6 as per list enclosed), one of the twenty two workmen for himself and his colleagues has been examined and cross examined, but the declination of the O.P./Management to produce any witness on its behalf, it came up for hearing a final argument.

The Statement WWI Dibakar Mahato as one of/for the other workmen concerned reveals his admission all the concerned workmen have got their SLU in Grade-I in the year 1989; a worker how gets his S.L.U. in higher grade cannot claim promotional benefit of that grade, the management issued an order (dt. 13.12.1996-Ext. W.2) for our promotional benefit in Clerk Grade I w.e.f. 1996, they have refused to accept its, as their claim is for special

grade from 1993, for which they had given the O.P./management their notice (dt. 8.10.1996-Ext. W.1) for strike. The witness (WWI) has admitted their appointment to have been in different years. But he did not respond to the question whether the post in higher grade is filled up subject to availability of vacancy or not. It affirmatively means filling up the post happens only on its vacancy as per rule.

In the face of admission of the witness (WWI) that the management had issued order for their promotional benefit in Clerical Grade I, w.e.f. 1996, but they have refused to accept it.

7. It seems mere carelessness of the Union/workmen to put that the witness (WWI) has proved another notice of the Union concerned as Ext.W.2, but factually it is the office order dt. 13.12.1996 of the Colliery, ECL Ltd. Whereby all these twenty two workmen since having completed 12 years in the same Grade were promoted in Grade-I as per Hr. Circular No. ECL/CMD/C-6/E/96/10/1048 dt. 23.09.1996. In this reference, the Union/Workmen have failed to produce and prove any document in regard to alleged promotion being given to their junior colleagues in special grade.

It is also ridiculous to note that the workmen as per the evidence of WWI Dibakar Mahato claim for the Special Grade from 1993 whereas the Union concerned as per schedule to the reference claims for their promotion in the Special grade, w.e.f. 9.12.1996 based on their getting financial benefit through SLU in clerical grade I since 1989. It is out and out self contradictory.

Therefore, it is hereby, in terms of the reference.

ORDERED

That the Award be or the same is passed that the demand of the Union for the promotions in Special Grade of S/Shri B.M. Ghosh & 21 others Clerk Grade I w.e.f. 9.12.1996 (annexure enclosed) on the basis of getting financial benefit through SLU in Clerical Grade I since 1989 being baseless is unjustified. The concerned workmen are not entitled to any relief.

KISHORI RAM, Presiding Officer

(Annexure)

List of the Workmen

Sl. No.	Name	Man No.
1.	Sri B.M. Ghosh	842140
2.	Sri R.P. Singh	852070
3.	Sri R.K. Mondal	842144
4.	Sri S.N. Prasad	852071
5.	Sri N. Ram	842142
6.	Sri Dibakar Mahto	852066

Sl. No.	Name	Man No.
7.	Sri Atika Mahato	852025
8.	Sri Onkar Singh	852057
9.	Sri Debraj Prasad	852054
10.	Sri J.P. Singh	852031
11.	Sri Muktar Alam	812259
12.	Sri Sibeswar Singh	852095
13.	Sri D.K. Banerjee	852065
14.	Sri Rabindra Sharma	852052
15.	B.N. Sharma	852063
16.	Sri G.S. Prasad	838692
17.	Sri Dinesh Pd. Mahato	852064
18.	Sri G.P. Gorai	852173
19.	Sri R.P. Dey	852090
20.	Sri Gopal Das	851017
21.	Sri R.K. Mukherjee	852035
22.	Sri M.R. Chatterjee	852034

नई दिल्ली, 3 अक्टूबर, 2013

का०आ० 2491.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी सी एल के प्रबंधन के संबंध में निरिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 17 of 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/514//2001-आई आर (सी-1)]
एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 3rd October, 2013

S.O. 2491.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of T947), the Central Government hereby publishes the Award Ref./17/2002 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of CCL and their workmen, received by the Central Government on 03/10/2013.

[No. L-20012/514/2001-IR (C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 17 OF 2002.

PARTIES

: Kuldip Nonia (workman)

Ex. Gr. II Clerk, Churi Colliery,
Ranchi

Vs Project Officer, Chouri Colliery
of M/s. CCL, Ranchi

APPEARANCES:

On behalf of the workman/Union : Mr. D. Mukherjee, Ld.
Advocate

On behalf of the Management : Mr. D.K. Verma, Ld. Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 2nd May, 2013.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/514/2001-IR(C-I) dt. 20.02.2002.

SCHEDULE

"Whether the dismissal from services of Kuldip Nonia by the Management of CCL, Chouri Colliery w.e.f. 18.9.1999 is proper legal and justified ? If not, to what relief is the concerned workman entitled. ?"

2. The case of workman Kuldip Nonia as stated in his written statement is that he was initially appointed as permanent worker on 26.06.1962 at Bachara Colliery under the NCDC, but at the time of termination of service, he was working as Clerk Grade II at Churi Colliery of N.K. Area of M/s. CCL. Since his service participation as the Office bearer of the Union in ventilating the grievances of the workman over annoyed the management by dismissing him from service. He fell ill from 12.02.1996 and remained under treatment at the Colliery Hospital, but due to serious mental illness, he could not resume his duty on 20.03.1996 and his relative took him to Rourkella for his treatment. After recovery from illness, he reported for his duty at Churi Colliery along with Medical Certificate but the management did not allow him to resume his duty, rather it directed him to report to its Medical Officer for verification, and for getting Medical fitness certificate, referring the matter to the Area Medical Officer. As per the letter dt. 29.11.1997 of the Area Medical Officer, on the report of the Board consisting Dr. P. Das and Dr. A.K. Sinha, the Chief Medical Officer sent him to the Central Institute of Psychiatric for examined medical fitness which examined him on 6.12.1997 and declared him fit to resume his duty.

When the workman on the basis of aforesaid Medical Report again reported for his duty, but the anti-labour management did not allow him to resume his duty, though his relative had already informed the management of his mental illness and his shifting to Rourkela for medical treatment. Despite his representation both in writing and orally to the several authorities for resuming his duty, the management at last informed him of his alleged dismissal for absenteeism from duty, whereas the workman never received any chargesheet or any enquiry notice nor any served upon him. The Management had exparte completed the enquiry through a biased and prejudicial Officer in utter violation of natural justice. Despite the charges, though constituting no misconduct, levelled against having been unproved in the department enquiry, he was dismissed by an authorized person. At last, the failure in conciliating proceeding in the Industrial Tribunal raised before the ALC© resulted in the reference for an adjudication. The action of the management in dismissing the workman from service was alleged to be vindictive, illegal and unjustified. The dismissal was too harsh and disproportionate to the alleged misconduct.

3. The workman on his rejoinder specifically denying all the allegations of the management, has stated that he was on sick leave and under the treatment of the Doctor of Churi Colliery from 12.2.1990 to 19.3.1996. On not getting a relief from the aforesaid colliery Doctor, his relative took him to Rourkela for treatment under the Government Doctor from 22.3.1996 to 16.11.1997. After getting fitness certificate, he reported for duty on 17.11.1997, but he was not allowed to resume his duty. Subsequently, he also submitted his representation for resumption of duty, but the management as per letter dt. 29.11.1997 referred to the Chief Medical Officer, Gandhi Nagar Hospital, Ranchi, and as per the Order dt. 9.12.1997 of the Company Doctor, he was referred to the Central Institute of Psychiatry, Kanke, where he as per its Certificate dt. 17.1.1998 was declared fit for duty. He had not got any chargesheet dt. 19/20.9.1997, so the question of submitting his reply does not arise. He never refused any letter. The exparte enquiry was neither fair nor justified.

4. Whereas the contra pleaded case of the Opp./Management with categorical denials is that the present reference is unmaintainable in law as well as in facts. It is alleged that the workman began to absent from duty since 12.6.1996 unauthorisedly. So he was issued the chargesheet dt. 9/20.9.1992 for his misconduct of unauthorized absence. He did not submit his reply to the chargesheet. The management appointed Mr. D.K.Singh, the Personnel Officer, Churi Colliery to conduct the domestic enquiry in respect of the aforesaid chargesheet. On notice of the enquiry by the Enquiry Officer for participation in the enquiry, the workman neither reported for duty nor informed the management of his inability to attend his duty or of his whereabouts. The notices issued

to him in result returned undelivered with postal remarks. Finding no alternative, the Enquiry Officer conducted the domestic enquiry exparte quite fair, proper and in accordance with the principle of natural justice and submitted his report holding therein the charges levelled against him having been proved, and found him guilty of the charges. Thereafter, the management dismissed the workman concerned for proved misconduct which is legal and justified.

5. The O.P./Management in its rejoinder has categorically denied, and stated that the workman never reported the management of his illness, nor obtained permission from the management for absencing from his duty. The charge sheet and notices of the enquiry were issued to the workman on his address available to the management.

FINDING WITH REASONING

6. In the instant case, at the preliminary point as to the fairness or unfairness of the domestic enquiry, after hearing both the parties the Tribunal as per Order No. 27 dt. 07.03.2012 held domestic enquiry though exparte yet quite fair and proper in accordance with the law as the workman appeared to have evaded. Hence, it came up for hearing final argument over the quantum of punishment for the misconduct of the absenteeism of the workman under Sec. 11 A of the Industrial Dispute Act, 1947.

It is submitted on behalf of the workman Kuldip Nonia who was Clerk Gr.II at Churi Colliery was terminated from his service w.e.f. 18/25.9.1999. by the Management as per the Termination Letter (Ext.M.7) for the first time on the basis of exparte domestic enquiry so the termination of his service for his misconduct of absenteeism is not legally justified. Whereas Mr D. K.Verma, the Ld. Counsel for the Opp./Management submits that the workman was terminated for long absence unauthorisedly, he did not prove any document of his illness; he was a habitual absconder for more than a year, hence the harsh punishment of his termination of his service is legally awarded by the management. He has relied upon two authorities:

(2009)2 SCC (L & S)689(DB), the Regional Manager, Bank of Baroda Vs. Anita Nandrajog which related to unauthorized absence of the Respondent on two occasion of more than 266 days which was condoned by the Appellants : Bank; thereafter there was his subsequent absence for more than 150 days without sanction of leave. The appellant invoking 17(d) of the 5th Bipartite settlement issued notice to the Respondent to join service in 30 days failing which it would be presumed she had voluntarily terminated her service; even then the respondent had failed to join her duty, then the Bank treating respondent as deemed to have voluntarily terminated her employment. Their Lordship held that management concerned was

extremely lenient by condoning the Respondent's absence but the respondent's behavior of remaining absent without leave for such long periods was regrettable and unfortunate and as such no such establishment can function if it allows its employees to behave in such a manner hence the order of the Bank was valid.

Likewise Second ruling : (2008)1SCC(L&S)164(DB), L & T Komatsu Ltd. Vs. N. Udaykumar, relied by Mr. Verma, the Ld. Counsel for the Opp./Management relates to the case of the workman, who had been in the past found guilty of unauthorized absentism several times, i.e., 15 times in his case, was properly in the departmental enquiry once again found guilty of unauthorized absence for a long period of 150 days so it was held that consequential dismissal from service ought not to have been treated to be harsh and interfere with by Labour Court/High Court and it is settled that the habitual absentism means gross violation of discipline (para 8).

7. But in the present reference under adjudication, the Opp./Management has not brought anything on the Enquiry Proceedings as to his past conduct prior to the charge sheet for his misconduct of absentism since 12.1.1996 nor it carries any proof whether second Show Cause was issued to the workman prior to his termination of his service.

Under these circumstances the aforesaid both the rulings having their ratio decendi different from the present facts of the reference hold not good with it. Hence the absolute termination of the workman from his service for his first absentism appears to be not only harsh but also quite disproportionate to the nature of his unauthorized absentism during the service career. Therefore the termination- punishment is liable to be set aside.

In view of the aforesaid findings, the reference is responded in its terms and accordingly it is hereby;

ORDERED

The award be and the same is passed that dismissal of Shri Kuldip Nonia from his service by the management of CCL, Churi Colliery w.e.f. 18.09.1999 is neither proper nor legal nor justified. Hence the workman entitled to his reinstatement in his service but without back wages. Let the copies of the award in duplicate be sent to the Ministry of Labour & Employment, Government of India, New Delhi for information and needful publication the Gazette of India. The O.P./Management is directed to implement award within a month from the date of receipt of its publication in the Gazette of India.

KISHORI RAM, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2013

कांआ 2492.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में

निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 32 of 1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/474/1996-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 3rd October, 2013

S.O. 2492.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 32/1998) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of BCCL and their workmen, received by the Central Government on 03/10/2013.

[No. L-20012/474/1996 - IR (C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 32 OF 1998.

PARTIES

: The Secretary,
Bihar Colliery Kamgar Union,
Hirapur, Dhanbad
Vs. Project Officer,
Moonidih Project of M/s.
BCCL, PO: Moonidih, Dhanbad

APPEARANCES:

On behalf of the workman /Union	: Mr.S.N.Goswami, Ld. Advocate
On behalf of the Management	: Mr. D.K.Verma, Ld. Advocate
State	: Jharkhand
Industry	: Coal
Dated, Dhanbad,	: The 20th August, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.1-20012/474/96-IR (C-I) dt. 20/27.02.1998.

SCHEDULE

"Whether the action of the Project Officer Moonidh Project of M/s BCCL P.O.Moonidih (Dhanbad) in dismissing Shri Radheshyam Singh Ex. TRM w.e.f., 7/8.9.1994 is justified? If not, to what relief is the concerned workman entitled."

2. The case of workman Radheyshyam Singh as sponsored by the Bihar Colliery Kamgar Union, Dhanbad is that the workman had been unblemishedly working as a permanent T.R.M. worker at Moonidih Project of M/s. BCCL. But unfortunately he began to unauthorisedly absent from his duty due to his mental illness, for which he was under treatment of the Psychiatrist; and it was duly informed to the management. Even then, the management dismissed him on the basis of an alleged exparte enquiry without notice or any opportunity to reply it. When the workman with his medical fitness Certificate went to report the management for his duty, he instead of it was handed over his letter of dismissal issued by an unauthorized person. After his representation to the management against his illegal dismissal, the Union raised the Industrial Dispute against the management before the ALC©, Dhanbad, but the failure in its conciliation proceeding due to adamant attitude of the management resulted in the reference for an adjudication. The action of the management in dismissing the workman is illegal, vindictive and against the principle of the natural justice.

3. The Union concerned in its rejoinder with its specific denials has stated that the workman was absenting due to reasonable cause; but the allegation against the workman constitutes not any misconduct as per the provision of the Certified Standing Order. The alleged charge even in the invalid ex-parte enquiry was not established against the workman, even then he was dismissed biasedly.

4. Whereas categorically denying all the allegations of the Union/workman, the O.P./Management has stated that the workman Radhey Shyam Singh, T.R. Munder Token No.2095 had started to unauthorizedly absent from his duty from 01.12.1992, so he was chargesheeted as per the Notice No. PO/Per/DA(DR)/(MN)/93/1334 dt. 6.7.1993 for his willful absence as a misconduct under clause 26.1.1. of the Certified Standing Order of the BCCL. The chargesheet was issued to him through the Regd. Post on his permanent home address and local address. The workman did not reply to it, nor informed of his long absence, so the Disciplinary Authority ordered for a domestic enquiry into the charge by appointing the Enquiry Officer as per the Office Order No.MND/PO/Per./DA/(DR)/26/93/1725 dt. 25.8.93 when on two Regd. Notices of enquiry dt. 28.12.93 and 4.6.1994 for his appearance in the enquiry on 7.1.94 and 2.7.94 respectively as the Notice also published in the local Hindi Newspaper AWAZ on 26.6.94 for his publication on 2.7.94 at 10 a.m, at the Project Office,

the workman neither appeared nor informed any reason for his non-appearance. It resulted in the enquiry proceeding exparte. After due enquiry into the charge, on the enquiry report of the Enquiry Officer based on the statements of the management witnesses and documents, holding the workman guilty of the charges, the Competent Authority sent the enquiry report to the workman for his final reply, but the workman did not reply.

5. The Competent Authority found from the attendance of the workman that his attendances were too low 105,75,82, Nil and NIL days till 2.7.1994 in the year 1990 to 1994 respectively to remain in employment. So the Project Officer/Agent, Moonidhi Project, after taking approval of the Competent Authority, dismissed of the workman from the service of the Company w.e.f. 7/8.9.1994. The workman without any representation or any appeal to the appellate Authority raised a dispute before the ALC©, Dhanbad which resulted in the reference on its failure in conciliation proceeding. As such the action of the management in dismissing the workman as per the Certified Standing Order is quite legal and justified, and the dismissal quite proportionate to the misconduct.

6. In the rejoinder, the O.P./Management has categorically denied the allegation of the Union/workman, and has stated that the workman has/had a chronic case of long unauthorized absentism. All the necessary steps were taken up for informing the workman for his participation in the enquiry for his defence. After due and fair enquiry, he was already dismissed when he went to resume his duty. So the workman is not entitled to any relief.

FINDING WITH REASONS

7. In the reference, consequent upon the domestic enquiry having been declared unfair, improper and against the principles of natural justice as per the Order No.27 dt. 27.11.2002 of the tribunal, the MWI N.K.Jha, the then Dy. Personnel Manager, thereafter Personnel Manager, and MW2 Nanda Dulal Chakravarty, the Office Suprintendent of the Moonidhi Project Office, and WWI Kameshwar Kr. Singh, the only son of the workman Radhey Shyam Singh, Ex-T.R.M, who died on 13.11.2006, for the Union, on all merits have been examined respectively.

8. The statement of MWI N.K. Jha, as the then Dy. P.M. of the Moonidih Project reveals his personal knowledge of the case through all the documents/evidence in photocopies of the original ones which were not returned by the Mr. A. Jha, the Advocate concerned to whom the documents were handed over. According to him (MWI), the workman was issued the chargesheet dt. 6.7.1993 (Photocopy thereof —Ext.M.1 after objection) by the management for the misconduct of his unauthorized absence since 1.12.1992 under clause 26.1.1. of the Certified Standing Order applicable to the workman of the management.

Likewise the statement of MW2 Nanda Dulal (Be read as Gulal) Chakarvathy, the Office Superintendent of the Moonidih Project Office appears to be quite conducive to the statement of MW1 N.K.Jha. To him, (MW2), the workman was a time rated worker (T.R.W.) in Cat. IV at Moonidih Project. He was issued the chargesheet as per the dispatch No.1334 dt. 6.7.1993 (Ext. M.2 with objection) by Regd. Post with A/D but the A/d unreturned back, the chargesheet was issued to the workman for committing his misconduct of his long absentism. Further, the Management witness (MW2) has affirmed that as per the Register in Form G(T.R.M.) in original maintained by the management dealing with qualification of leave for the year 1992-94(Ext.W3-5 respectively), the workman remained absent w.e.f. 1.12.1992, his attendance NIL in the year 1993 and 1994, and the workman was dismissed from service as per the (Dismissal Order) letter dt. 8.9.1994(the Photocopy — Ext. 6.) The witness (MW2) has expressed his ignorance of the fact if the concerned workman has submitted any application with medical certificate giving an intimation that the workman being a mental patient under the treatment of a Psychiatrist was unable to join his duty.

9. Whereas the statement of WW1 Kameshwar Kumar Singh, the only son of the workman Radhey Shyam Singh, Ex.-T.R.M., who died on 13.11.2006 during pendency of the case, discloses that his father being mentally disturbed was medically under treatment in the year 1992 at Ranchi Central Medical, as well as under private as per the seven prescriptions along with the certificate (Ext.1 series). It also transpires that his mother Geeta Devi and the Union Representative had also represented on 13.11.1992, 23.9.1994 and 23.9.1994 to the Project Officer, Moonidih of BCCL in respect of the treatment of his father (the representations — Ext. 2 series); and his father died in course of his treatment, but again it was denied by the witness (WW1) in his cross examination. The witness (WW1) has admitted that though his father was found medically fit as per the Doctor's Certificate dt. 30.1.1995 (Ext.W.1), he (his father) had not reported to the management about his fitness after his recovery. He (WW1) had denied all the three representations have been fabricated by his mother and the Union for the claim. But the witness (WW1) failed to challenge the dismissal of his father workman for his misconduct of long unauthorized absentism from duty.

10. Mr S. N.Goswami, the Ld. Counsel for the workman as per the written statement submits the workman (now deceased) was on authorized leave, but unfortunately he had been under treatment of his mental illness under the Psychiatrist at Ranchi and due to being beyond the control of the circumstances, he remained absent from duty, and after recovery, the workman with his all medical prescriptions and Medical Fitness Certificate (Ext.W.1 series) went to join his duty, he was handed over the dismissal order based on the exparte enquiry held without

any notice or supply of essential documents though earlier information of his illness was given to the management (Ext.W.2), so the action of the management in dismissal of the workman from service was illegal and unjustified.

In quite contrary to it, Mr. D. K. Verma, the Learned Advocate for the O.P./Management, has contended that there is no documentary proof of any information of the workman about his mental illness or his mental treatment, and in spite of full information of the chargesheet (Ext.M.1) as per Dispatch No. 1334 dt. 6.7.1993 (Ext.M.2) by Regd. Post without A/D, in the name of the workman, yet he did not appear/respond to the chargesheet or notice, so it resulted in the fair exparte enquiry, and accordingly, he was dismissed for his misconduct of long unauthorized absence; so his dismissal by the management was quite legal and justified.

11. On perusal and consideration of them materials afresh made available on merits, I find the following facts:

- (i) It is an admitted fact that the workman was all along unauthorized absent from his duty for a long time from 1.12.1992, for which despite dispatches of his chargesheet dt. 6.7.93 (Ext.M.1) as per Dispatch No. 1334 dt. 6.7.1993 (Ext.M.2) by regd. Post with A/D on his home address, the workman did not appear in the enquiry, and it resulted in the fair ex-parte enquiry into the charge of long absentism.
- (ii) thereafter, the workman was dismissed from his service, when he did not respond to the copy of the Enquiry Report sent to him on his home address as per the Management's Letter 24/25.8.1994 by Regd. post with A/D as evident from the very Dismissal Order dt. 7/8.9.1994 (Ext. M.6), but nothing was heard from him till date.
- (iii) So far the alleged information of the workman's mental illness by his wife Geeta Devi as per his application (Ext.W.2) concerned, it is dated 13.11.1992 about his mental treatment going on at Moonidih Hospital, then heading for Ranchi, it stands falsified as contrasted with his chargesheet dt. 6.7.1993 (Ext.M.1) concerning his absentism from 1.12.1992. Other two representations both dt.23.9.1994 one by his wife and other by the Union Secretary relate to a request to the Project Officer concerned for the withdrawal of his dismissal.
- (iv) It is acknowledged fact that the workman after recovery after his Doctor's Certificate dt. 30.1.1995 (Ext. W.1) did not report to the management about his fitness. He did not die in course of his treatment; rather he died on 13.11.2006 much after his dismissal on 8.9.1994. At death of the workman, his son Kameshwar Kumar Singh was substituted for him.

- (v) Any T.R.M. Worker, who is not of sound mind and health disqualifies for his job of Mine, and in that case if the workman committed a misconduct of long unauthorized absenteeism from duty, he deserves no relief under 11 A of the Industrial Dispute Act.1947.

Under these circumstances, the argument of Mr. Goswami, the Learned Advocate for the workman being based on unpleaded facts appears to be unpersuasive. Hence, it is, in the terms of there ference, hereby

ORDER

The Award is and the same be passed that the action of the Project Officer, Moonidih Project of M/s BCCL, PO: Moonidih (Dhanbad) after approval of the competent authority in dismissing Shri Radheshyam Singh, Ex.T.R.M., w.e.f., 7/8.9.1994 is quite justified. Since the workman died during the pendency of the reference, his son Kameshwar Kumar Singh is entitled to all the financial benefits of his deceased father workman.

KISHORI RAM, Presiding Officer

नई दिल्ली, 18 अक्टूबर, 2013

कांआ 2493.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक आफ इन्दौर के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 265/89) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं. एल-12012/246/89-आई आर (बी-1)]
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 18th October, 2013

S.O. 2493.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.265/89) of the Cent.Govt. Indus.Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of State Bank of Indore and their workmen, received by the Central Government on 18/10/2013.

[No. L-12012/246/89- IR(B-1)]
SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/265/89

PRESIDING OFFICER: SHRI R.B.PATLE

Shri Bal Krishna Sharma,
S/o Shri Bansilal Sharma,
6/13, Jagdish ki Gall,
Nayapura, Ujjain

...Workman

Versus

General Manager,
State Bank of Indore
(Merged as State Bank of India), Regional Office,
Gwalior ... Management

AWARD

Passed on this 18th day of June 2013

1. As per letter dated 12-12-1989 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-12012/246/89-IR(B-3). The dispute under reference relates to:

" Whether the action of the management of the R.M.State Bank of Indore, Gwalior (merged as State Bank of India) in not providing employment to Shri B.K.Sharma clerk/cashier after 12-4-80 (date of termination) and whether his said termination is justified? If not, to what relief the workman is entitled for?"

2. After receiving reference, notices were issued to the parties. 1st Party workman submitted statement of claim at Page 3 to 15. 1st Party submits that he was working as temporary clerk-cum-cashier from 1st Jan., 1980 to 12-4-1980 for 74 days at Kampoo Branch, Gwalior of State Bank of Indore merged into State Bank of India. That he was performing duties at Saving Deposit Counter. He completed work of Savings Deposit counter, current Deposit counter, recurring time deposit counter, preparation and verification of the daily clearing statements and allied works, balancing of all ledgers etc. That he was appointed as clerk and his tenure was extended. He was not given notice for termination of services. Workman refers to certain awards and claims that he was not given benefit like other employees similarly situated. That as per the award passed by CGIT, Kanpur, he claims to be entitled for similar relief of reinstatement with back wages. That he was not given chance for appointment when other persons were appointed in the Bank. That he was appointed on permanent post against clear vacancies. That his cessation of work amounts to retrenchment. Retrenchment is in contrary to Para 522(4) of Sastry Award. That completion of 240 days service is not obligatory. The workman has referred to ratio held in different cases and claims that his retrenchment is not covered under Section 2(oo) (bb) of I.D.Act. The termination of his services is arbitrary and illegal. On Such contentions, 1st Party workman prays for his reinstatement.

3. IInd Party management filed Written Statement at Page 17 to 25. According to IInd Party, 1st Party workman intermittently worked as temporary clerk/cashier for 74 days during 15-1-80 to 12-4-80. The details of his working are shown in para-3 of Written Statement. It is submitted that

1st Party workman was aware since beginning of his employment that term of his employment is for a limited and specific period. It will come to end after lapse of time. No separate notice of termination was called for. The judgment by CGIT, Kanpur was referred by the 1st Party workman. That there is no violation of para 522(4) of Sastry Award as workman was in employment for intermittent periods. Notice for termination is not necessary. The violation of Section 25-G, H of I.D.Act Rule 76 to 78 of I.D.(C) Rules 1957 is denied. It is reiterated that the workman was intermittently employed for specific period. His discontinuance does not amount to retrenchment. It is covered under clause (bb)(oo) of Section-2 of I.D.Act. That due to oversight, letter of appointment was not issued to the workman.

4. It is submitted that the workman was knowing that his appointment was purely temporary for specific period. As per para-20.8 of Bipartite settlement dated 19-10-66, temporary employment beyond 3 months is forbidden. The provisions under Section 25-H of I.D.Act is not attracted as appointment of workman was for specific period as temporary employee. That the reference by workman is submitted after a period of 5 years, it is not tenable and same deserves to be rejected.

5. Workman filed rejoinder at page 27 to 31 reiterating his earlier contentions that as per Sastry Award, it is obligatory for IInd Party to give appointment order in writing and specify kind of appointment, Para 522 deals with procedure for termination of employment. It is violated as order of termination was not given to him. It is denied that his appointment was for temporary period. That Juniors Mr. Deshmukh and one lady were continued in service and thereby Section 25-H of I.D.Act is violated. That he was never verbally advised that his appointment was for specific days and same will come to an end automatically. That his appointment was not in leave vacancy of Smt. Vaishali Joshi.

6. IInd Party also submitted reply to rejoinder denying contentions of the workman and reiterated its earlier contentions stated above.

7. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | | |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| (i) | Whether the action of the management of the R.M.State Bank of Indore, Gwalior (merged as State Bank of India) in not providing employment to Shri B.K.Sharma clerk/ cashier after 12-4-80 (date of termination) is legal? | In Affirmative |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|

- | | | |
|------|----------------------------------------------------|-----------------------------------------|
| (ii) | If so, to what relief the workman is entitled to?" | `Relief claimed by workman is rejected. |
|------|----------------------------------------------------|-----------------------------------------|

REASONS

8. My predecessor had passed award dated 15-11-91 upholding the termination of 1st Party workman. The said award was challenged by workman filing miscellaneous Petition No. 206/92. The award was set-aside and matter was sent back to pronounce fresh award in accordance with law after hearing parties.

9. Workman filed affidavit of evidence. He has stated that he was working as temporary clerk-cum-cashier during the period 1st Jan 1980 to 12-4-1980. While working in the branch, he used to do different kind of work. He was appointed against permanent vacancy and not in leave vacancy. After his termination other persons were appointed. In his cross-examination, workman admitted that he worked for 74 days. He admits contents of Para-3 of Written Statement filed by management of IInd Party. That he was not given appointment letter for specific period. He denied that he was appointed during leave vacancy of Vaishali Joshi. That he was working subsequent to leave vacancy of Vaishali Joshi. From his evidence, it is clear that he has not worked for 240 days prior to discontinuation of his service.

10. Management filed affidavit of evidence of Shri G.R.Agrawal, he has stated on oath that workman had worked for 74 days from 1-1-1980 to 12-4-1980. The details of working days is given in para-3 of affidavit. That appointment of workman was purely temporary for a specific period. As denied violation of Section 25-G, H of I.D.Act is that workman had not completed 240 days preceding 12 calendar months of his termination. In his cross-examination, management's witness says that there was no need to pay retrenchment compensation, he was working in the Branch till June, 1980. He denies para 3&4 of affidavit of evidence filed by workman. That Mrs. Joshi was on leave. 1st Party was appointed in leave vacancy of Mrs. Joshi.

Mr. Sharma and Awasthy were employed during said period. Contrary suggestion are denied by the witness.

11. The evidence discussed above clearly shows that the workman had not completed 240 days continuous service preceding his termination from service. The reference is made after 9 years, written notes of arguments are submitted by both side. As workman has not completed 240 days continuous service, he is not entitled to protection under Section 25-F of I.D.Act. Learned counsel for 1st Party Shashi however submits that two persons were employed in violation of Section 25-H. Workman was not given appointment, seniority list was not displayed. The workman is entitled to employment under Section 25-H of I.D.Act. The evidence discussed above clearly shows that workman had worked only for 74 days in the year 1980. His pleadings and evidence are silent about procedure followed for his

appointment. His appointment was not as regular employee. No appointment order was issued to him.

12. Counsel for IInd party Shri Praveen Chaturvedi relies on ratio held in—

Case of S.M.Nilajkar and others versus Telecom District Manager, Karnataka reported in 2003(4) Supreme Court Cases 27. Their Lordship held though no limitation is prescribed for reference of dispute, it should be referred as soon as possible after it was raised and after conciliation failed. On facts held, delay in raising the dispute was not so culpable as to deny the relief to the workmen. The order of reference is not challenged by IInd Party and therefore the reference cannot be rejected on the ground of delay. The order of reference is binding on both the parties. The ratio held in above cited case cannot be applied to present case at hand.

Next reliance is placed on Batala Coop. Sugar Mills Ltd. versus Sowaran Singh reported in 2005(80) Supreme Court Cases 481. Their Lordship of Apex Court dealing with Section 25-F, B of I.D.Act and requirements of 240 days continuous service. Held burden of proof lies on workman. It is for workman to adduce evidence apart from examining himself or filing an affidavit, to prove the said factum. Such evidence may be in form of receipt of salary or wages for 240 days or record of his appointment or engagement for that year to show that he has worked with the employer for 240 days.

The workman in his cross-examination has admitted that he had worked with IInd Party for only 74 days. There is no evidence that he was working for 240 days preceding his alleged retrenchment. It is surprise to say that workman has not proved that he was worked for 240 days preceding his retrenchment.

In case of General Manager Haryana Roadways versus Rudhan Singh reported in 2005(5) Supreme Court Cases 591. Their Lordship dealing with Section 25-F, G of I.D.Act. It held that continuous service for not less than 1 year, 240 days work in a period of 12 months, though workman had not been in service of employer for complete one year, held, is enough to satisfy requirements of Section 25-F.

The ratio cannot be beneficially applied to the case at hand as workman has admitted in Cross-examination that he had worked for 74 days.

13. Thus the termination of service of workman cannot be said in violation of Section 25-F of I.D.Act as the workman did not worked for continuous 240 days during 12 months preceding his retrenchment.

14. So far as argument by learned counsel for 1st Party that workman is entitled to employment under Section 25-H, the terms of reference do not include such question. The term of reference is only with respect to whether termination of 1st Party workman from 12-4-80 is legal?

Therefore the argument advanced above by learned counsel for 1st Party is beyond the terms of reference. Same cannot be accepted that the termination of services of 1st party workman can be said in violation of Section 25-H of I.D. Act. Therefore termination of services is justified. I accordingly record my finding on Point No. 1 in affirmative.

15. In the result, award is passed as under:—

- (1) The action of the management of the R.M.State Bank of Indore, Gwalior (merged as State Bank of India) in not providing employment to Shri B.K.Sharma clerk/cashier after 12-4-80 (date of termination) is legal.
- (2) Relief prayed by workman is rejected.

16. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R.B. PATLE, Presiding Officer

नई दिल्ली, 18 अक्टूबर, 2013

कांआ 2494.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, गुवाहाटी के पंचाट (संदर्भ संख्या 7/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं एल-12012/79/2009-आईआर (बी-1)]
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 18th October, 2013

S.O. 2494.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Cental Govenment hereby publishes the Awad (Ref. 7/2010) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, GUWAHATI as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 18/10/2013.

[No. L-12012/79/2009-IR(B-I)]
SUMATI SAKLANI, Section Officer

ANNEXURE

IN THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, GUWAHATI, ASSAM

PRESENT: Sri L.C. Dey, M.A., LL.B.,
Presiding Officer,
CGIT-cum-Labour Court, Guwahati.

In the matter of an Industrial Dispute between:

The Management of S.B.I., Zonal Office, Johat & S.B.I. Dinjan Branch, Dinjan, Dibrugarh.

Versus

Their Workman Binoy Kr. Sinha, Dinjan, Dibrugarh.

Ref. Case No. 07 of 2010.

APPEARANCES

For the Management : Mr. A. Dasgupta, Advocate.
Mr. S. Bhuiyan, Advocate.

For the Workman : Mr. G.P. Bhowmik, Advocate.
Mr. J. Das, Advocate.

Date of Award : 30.09.2013.

AWARD

1. This Reference is arising out of an Industrial Dispute exists between the employer in relation to the Management of State Bank of India, Zonal Office and their workman Sri Binoy Kr. Sinha in respect of the matter relating to termination of service of the workman, which was referred by the Ministry of Labour & Employment/Shram Mantralaya, Government of India, *vide* their Order No. L-12012/79/2009-IR(B-I); Dated: 29/04/2010. The Schedule of the Reference is as under:

SCHEDULE

"Whether the action of the management of State Bank of India, Dinjan Branch in terminating the services of Sri Binoy Kr. Sinha w.e.f. September 2008 is legal and justified? If not, what relief the workman is entitled to?"

2. On receipt of the order of the Ministry of Labour/Shram Mantralaya as aforesaid this Reference case has been registered and notices were issued upon both the parties with direction to exchange their copies of claim statement/written statement and documents between them.

3. Both the parties appeared and contested the proceeding by filing claim statement/written statement.

4. The case of the workman, in nutshell, is that workman Sri Binoy Kr. Sinha was engaged by the State Bank of India, Dinjan Branch against regular post of Sweeper in the early part of 2004. Although no formal appointment letter was issued the workman was assured by the Bank Authority that his appointment would be regularized in due course. The workman rendered his service against a regular post of Sweeper continuously for a period with effect from 29.3.2004 till 3.9.2008 and during this period he performed various types of works namely sweeping of Bank premises and Store Room etc. and grass cutting of Bank premises. Since January, 2008 he was allotted additional job of sweeping/cleaning of ATM room and premises, and from time to time he was engaged as messenger for collecting stationery articles, NSC despatch to Post Office, etc.

The workman was paid on daily rated basis, initially @ Rs. 50/- per day which was increased to Rs. 60/- per day since middle of 2007. He was also given extra amount of Rs. 30/- per day since 2008 for additional job of cleaning of ATM premises; and for the work as messenger for collecting of stationery articles from different places, NCS despatch to Post Office, etc. He was paid some allowance for bus fare/rickshaw fare/tea etc. The mode of payment of the daily rate wages and allowance etc. were made of petty cash vouchers, drawn daily, fortnightly and monthly in different periods and also by way of depositing in the SBI, Dinjan Branch, S.B. A/C No. 0119008582 of the workman. The workman stated that as per direction of the Branch Manager, SBI, Dinjan Branch, the workman used to raise bills on periodical basis, usually for ten to twenty days at a time and payments were made accordingly against the bills/petty cash vouchers. Lastly, since 2008 the Bank Authority used to deposit the wages of the workman in his S.B. Account mentioned above, every month on raising bills by the workman. In third week of October, 2008 the Branch Manager, SBI, Dinjan Branch called the workman at his office and told that the service of the workman would continue upto 30th September, 2008 and thereafter one Naresh Balmiki will be appointed to carry out the job of sweeper and ultimately the workman was terminated from service with effect from 1.10.2008 in a most illegal and arbitrary manner. The workman has rendered his service continuously since March, 2004 till 30th September, 2008 and thereby he has worked for continuous period of 240 days within twelve months and has acquired the right to the post and under the law he is entitled to be regularized in the said regular post of Sweeper, SBI, Dinjan Branch. The workman averred that the fact of issuing petty cash vouchers, petty cash register, messenger duty bill, T.A. Bills, ATM clearing vouchers and the pass books mentioned above established that the workman is an employee of SBI, Dinjan Branch and he has rendered his service for a continuous period of about 4 and 1/2 years. As such, the action of the Management of SBI, Dinjan Branch in terminating the service of the workman with effect from 30.9.2008 is illegal and unjustified and hence, the workman is entitled to be reinstated with all backwages.

5. The pleadings of the Management, *inter-alia*, is that the present dispute is not an Industrial Dispute as the workman was not a workman of the State Bank of India as defined u/s 2 (s) of the Industrial Dispute Act, 1947 and he was never appointed by the Bank, since the State Bank of India is an Authority under Article 12 of the Constitution of India, it has to abide by all constitutional mandates so that it can not act arbitrarily in the affairs of recruitment of its employees violating the procedure of the recruitment as framed in this behalf. The workman Sri B.K. Sinha was not engaged or recruited through the established process of the recruitment as follows by the Bank. The Management stated that The Dinjan Branch of the State Bank of India

hired a generator on monthly rental basis to have continuous supply of electric power during working hours and at the relevant time one Sri Sontosh Das installed a generator on contract basis who engaged the workman B.K. Sinha as Generator operator who used to look after the generator for the purpose of due operation in the event of power failure. Occasionally as requested by Sri Binoy Kumar Sinha, the Branch Head engaged him for sweeping etc. as and when required and the Branch used to make payment for his work on the basis of job performed by him. The payment so made was deposited in his bank account as desired by him as such, Sri B.K. Sinha can not be called as workman u/s 2 (s) of the I.D. Act, 1947. Section 2(k) of the Act is meant for the dispute relating to employment, non-employment and condition of employment for a group of employees or an individual employee supported by its co-workers; and Section 2A is deeming provision of Industrial Dispute whereby an individual workman can raise by an industrial dispute in the event of his termination, dismissal or retrenchment, etc. Sri B.K. Sinha was a employee of the owner of a generator, Sri Sontosh Das and he is not an employee of the Bank and suppressing of the materials facts he raised the Industrial Dispute projecting himself as the workman of the Bank taking the plea that he was engaged as Sweeper and his due remuneration paid through different bank vouchers and sometimes deposited in his bank account. It is also contended by the Management that the appropriate government has wrongly or erroneously considered this dispute as Industrial Dispute and referred the same for adjudication and the appropriate government was influenced by an extraneous consideration that the concerned person is a workman as there is no master and servant relationship between the parties. The Management categorically denied the contention of the workman that the Management appointed Sri B.K. Sinha as sweeper with an assurance to regularize him in due course and that Sri Sinha rendered his continuous service against the regular post of Sweeper from 29.3.2004 to 03.09.2008. The Management also denied that all on a sudden the Branch Manager, State Bank of India, Dinjan Branch called him in his office and told him that his services in the bank was to be continued up to 30.9.08 and thereafter one Naresh Balmiki would be appointed to carry out the job of the Sweeper. It is also averred by the Management that the claim of workman that he worked for a period of more than 240 days within 12 months and acquired a right to the post under law and entitled to be regularized is absolutely untenable and as he is not an employee of the Bank, the question of his dismissal does not arise at all. Further plea of the Management is that every payment for a job to be performed by a person who is not an employee of the bank has to be made by due entries in a particular register called as Petty Cash Register by preparing petty cash vouchers and disbursement of this payment by this mode does not indicate that he is an employee of the Bank. Hence, the Management submitted that the workman is not entitled to

any relief, and prayed for passing the award holding that the present dispute is not an Industrial Dispute and the concerned person is not entitled to any relief.

The workman by filing an additional written statement denied and disputed the contention of the Management regarding the pleas taken by the Management, *inter-alia*, that the present dispute is not an Industrial Dispute; that Sri Santosh Das, owner of the generator engaged the workman as generator operator and that the workman was not an employee of the State Bank of India but the employee of said Santosh Das. The workman also stated that initially he was engaged by the Management as canteen boy and his remuneration was paid @ 500/- per month and thereafter Rs. 1,000/- per month and thereafter the workman was appointed as Sweeper, and in addition to his duty as Sweeper he had to do other works for which he was paid additional remuneration. It is also mentioned that the workman was engaged against the permanent vacancy and after his disengagement one Naresh Balmiki was appointed against the post of Sweeper and in this way the Management has been resorting the unfair labour practice depriving the workman of his legitimate claim.

The Management again submitted additional written statement denying all the allegations raised in the Additional Claim Statement submitted by the workman and reiterated that the present case is not an Industrial Dispute and the same is not maintainable as the workman was not engaged as Sweeper at any point of time, the question of his disengagement does not arise at all and he was never paid with any daily wages but the payment made to him was due to some specific work performed by him.

6. Both the parties adduced their evidence and proved the documents which were relied upon by them. The workman examined two witnesses including himself. The Management also examined two witnesses including Smti Bitapa Banerjee, present Branch Manager of Dinjan Branch, State Bank of India.

7. The workman Sri Bonoy Kumar Sinha (W.W.I.) stated that having learnt that grade-IV post of Sweeper was lying vacant in the SBI. Dinjan Branch he approached the then Branch Manager, Sri Dipak Kumar Deori to appoint him in the said post and on holding his personal interview and practical test of his working skill of sweeping, grass cutting, etc. he was appointed by the Branch Manager on daily rated basis as there was no other employee in the said post. Although no appointment letter was issued to him but the said Branch Manager assured him that his appointment will be regularized in due course. Accordingly he joined in the Bank on 29.3.2004 as Sweeper and had been working in that capacity continuously to the satisfaction of the Bank authority for a period of 4 years 5 months. His normal duty was sweeping, cleaning of bank premises and grass cutting of the office compound, etc.

besides he was assigned additional work of sweeping/cleaning of ATM room/premises since November, 2007 on extra payment as per work done, moreover he was engaged as messenger for collecting stationery articles and once for collection of maturity value against NSC from Dinjan Post Office. He was paid daily rate basis, initially at the rate of Rs. 50/- per day which was increased to Rs. 60/- per day since middle of 2007; and against the additional job of cleaning ATM premises he was given an extra amount of Rs. 30/- per day since January 2008; moreover for the work as messenger, collecting stationery articles from different places, for collecting money of NSC maturity value from Post Office, etc. He was paid some allowance for bus fare, rickshaw fare/tea etc. and the daily rate wages and allowance etc. were paid by way of petty cash vouchers drawn daily, fortnightly and monthly in different periods and also by way of depositing in the SBI, Dinjan Branch A/C No. CBS 11719986289 of the workman. Thereafter on 15.9.2008 the then Branch Manager Mr. Raju Mandal called the workman in his office and told the workman that his service with the bank would be discontinued and one Naresh Balmiki would be engaged to work as Sweeper and was asked to continue till Balmiki joined and maximum upto 30.9.2008 and thereafter the workman was allowed to do normal duty upto 16.9.2008 and on 19.9.2008 he was assigned to do messenger work for one day and the Bank Manager verbally informed that his services with the Bank as Sweeper discontinued. The workman contended that he rendered his sincere service to the Bank for a continuous period with effect from 29.3.2004 till 16.9.2008 against the Post of Sweeper of the State Bank of India and thus having worked for a continuous period of 240 days within 12 months he has acquired the right to the post; and it is the regular practice of the Management that instead of giving regular appointment against the post of Sweeper to get the works done by engaging worker on daily basis rate-basis without giving formal appointment and to discharge such workers on whims and caprices of the Bank which is an unfair labour practices. The workman categorically denied that he was not engaged by Santosh Das as generator operator. He said that prior to his engagement as Sweeper Sri Santosh Das was working as Canteen boy at SBI, Dinjan Branch for preparing tea & mid-day meal and to operate the generator and the remuneration of Santosh Das was initially for Rs. 500/- and subsequently increased to Rs. 1000/-, which is evident from the Central Audit Report of 2007 at page 67, para no. 420.12 & 420.13, so the statement that the workman was engaged by Santosh Das is not true.

In support of his contention the workman has proved the documents namely, (i) His school Certificate *vide* Exhibit-I; (ii) OBC Cast Certificates *vide* Exhibit-2; (iii) Employment Identity Card *vide* Exhibit-3; (iv) Photocopy of petty cash vouchers drawn daily rate basis from 29.3.04 to 15.10.04 @ Rs. 50/- per day *vide* Exhibit-4 to 42 whereupon Exhibit-4(1) to 42(1) are his signatures and Exhibit-4(2) to

42(2) are signatures of the Branch Manager; (v) Photo copy of petty cash Register of SBI from 8.7.2004 to 25.9.06 in 40 sheets showing entries of labour charges of Binoy Kumar Sinha @Rs. 50/- per day, *vide* Exhibit-43 to 82; (vi) Photocopy of petty cash Register of SBI from 26.9.06 to 31.10.07 in 49 sheets showing entry of daily rate given to the workman *vide* Exhibit-83 to 131; (vii) Weekly/Bi-weekly payment vouchers from 15.11.07 to 16.9.2008 in 16 sheets daily rate Rs. 50/- up to 30.11.07 and thereafter @ Rs. 60/- *vide* Exhibit-132 to 147 and 132(1) to 147(1) are the signatures of the workman and Exhibit-132(2) to 147(2) are the signatures of the Bank Manager; (viii) Photocopies of Bankers Cheque and Misc Debit/Credit vouchers of SBI, Dinjan Branch, showing payment of Binoy Kr. Sinha as Sweeper in 20 sheets *vide* Exhibit-148 to 175; (ix) photocopy of bill for clearing and Sweeping ATM room from 1.3.08 to 3.6.08 in 6 sheets *vide* Exhibit-176 to 181 whereupon Exhibit-176(1) to Exhibit-181(1) are the signatures of the workman and Exhibit-176(2) to Exhibit 181(2) are the endorsements of the Branch Managers, Exhibit-176(2) to Exhibit-179(2) of Sri R.K. Dutta and 180(2) to 181(2) of Sri Raju Mondal; (x) Photocopy of Bills for messenger duty from 24.4.08 to 31.7.08 in 3 sheets *vide* Exhibit 182 to 184 and Exhibit-182(1) to 184(1) are signatures of the workman, & Exhibit-182(2) & 183(2) are endorsement of Sri Raju Mondal & Exhibit-184(2) of Sri B.C. Saha, Branch Manager; (xi) photocopy of TA Bills payment vouchers, payment directly deposited in the bank account No. 01190008582, SBI, Dinjan Branch of the workman, in 11 sheets *vide* Exhibit-185 to 195 and Exhibit-185(1) to 195(1) are the signature of the workman and Exhibit-185(2) to 195(2) are endorsement of Bank Managers Sri B.C. Saha, Exhibit-185(2) of Sri R.K. Dutta, and Exhibit-186(2) to 192(2); & Exhibit-193(2) to 195(2) of Sri Raju Mondal; (xii) photo copy of the letter dated 27.8.08 issued by the Branch Manager, SBI, Dinjan to the Postmaster, Dinjan engaging the workman for collection of maturity payment against two NSC *vide* Exhibit-196 and Exhibits 196(1) is the signature of the workman, and Exhibit-196(2) is the signature of the Branch Manager.

In course of his cross-examination the workman mentioned that as regards his appointment there was no advertisement from the Management nor any name was recommended by the Employment exchange for appointment nor any appointment letter was issued by the Management. He also said that Santosh Das was a Canteen Boy at that time whom he knew and said Santosh Das was generator operator. He also denied that said Santosh Das engaged him as generator operator. He also said that he used to perform the job of sweeping and he was paid on daily wage basis by issuing vouchers daily by the Management and thereafter on weekly and monthly basis also. He also categorically denied the suggestion tendered by the Management that he did not work more than 10 to 20 days in a month in the Bank as Sweeper; and that he did not work as Sweeper but sometimes as and when called by

the bank. It is also denied by the workman that Santosh Das inducted him to the Management and said Santosh Das also told to discontinue his service; and that said Santosh Das engaged him as generator operator @ Rs. 500/- per month and subsequently disengaged him; and that after his disengagement by Santosh Das he did not attend the Management bank.

The workman witness No. 2, Sri Raju Sinha the brother of the workman Sri B.K. Sinha stated that he had been running a stationery shop which later on converted to wet Canteen in Dinjan Army Cantonment Area located nearer to the State Bank of India, Dinjan Branch, and he used to supply some office stationery articles to the State Bank of India, Dinjan Branch. In course of his dealing with the supply of stationery articles he came to know from the Branch Manager Sri Deepak Kr. Deori that a post of Sweeper of Grade-IV was lying vacant in the SBI, Dinjan Branch and the Bank authority wanted to appoint a person on daily rate basis and in course of time regular appointment would be given, while he approached the said Branch Manager to appoint his brother (the workman). Thereafter the then Branch Manager, SBI, Dinjan Branch took personal interview of the workman in his office on 27.3.2004 and also took practical test of his working skill of sweeping, grass cutting, etc. On being satisfied with the performance of the workman the Manager asked the workman for joining as Sweeper on daily rate basis and understanding was given for regular appointment in due process after satisfactory performance for sometime. But no formal appointment letter was given to the workman and at that time no other person was working as sweeper in that Bank. Accordingly the workman joined in the SBI, Dinjan Branch on 29.3.2004 as sweeper and had been working in that capacity continuously to the satisfaction of the Bank authority for the period of 4 years 5 months till 16.9.2008. Normal duty of the workman was sweeping/cleaning of bank premises, store room cleaning and grass cutting of the office compound etc. Besides the normal duty the workman was assigned additional work of sweeping/cleaning of ATM room/premises since November, 2007 on extra payment as per work done. The workman was also engaged as messenger for collecting stationery articles and once for collection of maturity value against NSC from Dinjan Post Office. He also added that the payment was made to the workman initially at the rate of Rs. 50/- which was increased to Rs. 60/- per day since middle of 2007; and against the additional job of cleaning ATM premises the workman was given an extra amount of Rs. 30/- per day since January, 2008. For the work as messenger the workman was paid some allowance for bus fare, rickshaw fare/tea etc. and that the mode of payment of the daily rate wages and allowance etc. were made by way of petty cash vouchers, drawn daily, fortnightly and monthly in different periods and also by way of depositing in the SBI, Dinjan Branch accounts in the name of the workman. The WW.2

further stated that subsequently on transfer of the earlier Branch Manager in April, 2008 one Sri Raju Mandal, the Branch Manager joined and all on a sudden on 15.9.2008. Mr. Raju Mandal called the workman and told that his services to the Bank would be discontinued and one Naresh Balmiki would be engaged against him, and thereafter the workman was allowed to do normal duty upto 16.9.2008 and on 17.9.2008 he was assigned to do the work as messenger for one day and on the same day the Branch Manager verbally told him that he need not come for duty any more. Thus the workman was discharged from service in a most arbitrary and illegal manner. It is also mentioned by the witness concerned that the workman has rendered his sincere services for such a long period of four years five months against the post of Sweeper and thus having worked for continuous period of 240 days within 12 months he acquired right to the post but the Bank has adopted regular practice of appointment against the post of sweeper without giving formal appointment on whims and caprices of the Bank Manager which is an unfair labour practice. He further said that prior to engagement as Sweeper one Santosh Das was working as canteen boy in SBI, Dinjan Branch for preparing tea & mid day meals and to operate the generator, which was installed for the purpose of supply of electric power when load shading occurred in the Bank and as such, the contention of the Management that the workman was engaged by Sri Santosh Das, as generator operator under him is absolutely false. Thus the workman is entitled to continue in the same capacity as Sweeper and also entitled to regular appointment in the same post.

The WW.2 in course of his cross-examination said that the Management called him at the time of engagement of the workman as Sweeper and discussed with him about his engagement and the workman was paid his wages by vouchers on the basis of the job performed by him but the workman was not paid remuneration on monthly basis. He also said there was a case of theft in the Bank at that time prior to 16th September, 2008, but he denied the suggestion tendered by the Management that after the occurrence of the alleged theft in the Bank the workman was called by the Management and scolded him and asked Santosh Das to disengage the workman. He also categorically denied the suggestion that the workman was working as generator operator under Santosh Das and that sometimes the workman was served as Sweeper under the Management Bank.

8. The Management witness No. 1, Smti Bitapa Banerjee, the existing Branch Manager, SBI, Dinjan Branch in her evidence stated that the workman Binoy Kr. Sinha was not appointed as an employee of the Bank and there is no record to show that the workman offered his candidature in any formal recruitment procedure of the Bank as such, no formal appointment letter is available in the Bank record and hence, this Reference is not maintainable. The SBI Dinjan Branch was availing a facility of a generator being

provided by external agencies through different contract made by the Bank with the contractor from time to time and one Santosh Das was providing generator in the Bank who engaged the workman to look after the generator and as such, the workman had to operate the same in absence of non-availability of electricity. She has proved the documents namely the deed of agreement for hiring of generator set installed at SBI, Dinjan Branch executed between the Management of SBI, Dinjan Branch and Santosh Das on 1.5.04, 1.7.06 and on 15.3.2010 *vide* Exhibit-A, B and C respectively whereupon Exhibit-A(1), B(1), B(2), C(3) are the signatures of Sri Santosh Das and Exhibit-C(4) and C(5) are signatures of the then Branch Manager, SBI, Dinjan Branch, the second party and Sri Jayanta Basak, the then Accountant, SBI, Dinjan Branch, the witness respectively. She said that the workman B.K. Sinha was always available in the Bank premises and the Bank Management availed his service in exigencies, by engaging him for grass cutting, cleaning of record room, stationery stores, Bank premises and to carry out duty of messenger in absence of the permanent messenger of the Bank. The workman performed the job assigned to him and the Bank used to make payment of his work on the basis of the job performed by him. She also mentioned that some payments was made and some was also deposited in the Bank account of the Management Bank as desired by the workman, and the payments were made immediately after performance of the job assigned to him or after 10 to 15 days of his date of performance which was not considered as his salary or wages. It is further mentioned that the amount received by the workman in every month are different and it was neither made on daily wage basis or monthly wage basis. To pay salary depending on the quantum of job performed by him, and as the workman was not engaged as an employee of the Bank, the question of disengagement does not arise. Hence, the workman is not entitled to be reinstated or reengaged nor entitled to have any benefit. The Management witness again said that the Exhibit-A & B contain the conditions laid down and to be abide by the service provider Santosh Das for providing generator service; and Exhibit-C is the lease agreement in respect of providing service of the generator executed between the Branch Manager and Sri Santosh Das. The Bank in order to have generator service obtained quotation (generator service on monthly rent obtained quotations from three persons namely Santosh Das, Sri Gopal Das and M/S. B. Tech Engineers) and the said quotations were forwarded to the Regional Manager by the SBI, Dinjan Branch *vide* Exhibit-D. Accordingly the recommendation of rate Committee accepted the quotations submitted by Sri Santosh Das *vide* Exhibit-E and the said recommendation was duly proved on 6.1.04 *vide* Exhibit-F.

During her cross-examination the MW.1 stated that the SBI, Dinjan Branch is situated within the Army Cantonment Complex and the Bank compound is comprising with grass area and hence, grass cutting is being done in

some interval. She also could not say whether regular Sweeper was engaged in Dinjan Branch ever, but the Sweeper work is done by the casual workers on the basis of the job and the payment is made weekly, bi-weekly and in rare case on monthly by vouchers and they maintain the record of the vouchers and no other record maintained by them in respect of payment. She also proved the documents marked as Exhibit-4 to Exhibit-33 and Exhibit-36 to Exhibit-42, the copies of petty cash vouchers issued by SBI, Dinjan Branch; Exhibit-43 to Exhibit-81, the copies of petty cash Register pertaining to the period from 8.7.2004 to 31.10.07; Exhibit-83 to Exhibit-131, the copies of the petty cash Register; Exhibits-133 to Exhibit-135, the copies of the workman letters addressed to the Branch Manager; Exhibit-137 to Exhibit-139, the copies of the letter of the workman seeking cleaning and sweeping charge made on 7.2.08, 1.4.08 and 1.4.08 respectively; Exhibit-140 to Exhibit-146, the copies of the bills for cleaning of bank premises for different periods submitted by the workman; Exhibit-147 another bill for cleaning and sweeping of Bank premises submitted by the workman; Exhibit-148 & Exhibit-149, the copies of debit vouchers and banker cheque, and deposit slip and debit vouchers (together); and the Exhibit-149 shows that amount of bill due to the workman was deposited in his bank account in the Management Bank; the Exhibit-150 to Exhibit-162 the copies of debit vouchers and withdrawal slip (together). Exhibit-164, 165, 168, 169, 170, 171 and Exhibit-175 are the copies of documents namely the debit vouchers and deposit slip in respect of the account of the workman; Exhibit-176 and Exhibit-177 the bills paid to the workman; Exhibit-178 to Exhibit-181 the copies of the bill of sweeping, cleaning upto May, 2008 in respect of the workman; Exhibit-182 to Exhibit-184 are the bills in respect of the workman regarding messenger duty; Exhibit-185 to Exhibit-192 are the copies of the Bill for conveyance charges in respect of the workman. She also categorically mentioned that at the time of engagement of sweeper they had not held any interview as they are not skilled worker and at present Ajay and Prabhu are working in SBI, Dinjan Branch as Sweeper, grass cutting and cleaning but she could not say who had engaged said Ajay and Prabhu and they are working prior to joining of MW1 in the Dinjan Branch of SBI. She denied the suggestion that before engagement of Sweeper, cutter and cleaner they held interview. The witness said that the Exhibit-H is the letter of Santosh Das dated 10.11.03 addressed to the Branch Manager regarding supply of generator, which shows that Sri Santosh Das is still providing the Management Bank the service of generator. She mentioned that Santosh Das was preparing tea for them but she could not say if said Santosh Das had been preparing tea for the Bank staff prior to 2004. She denied the Preparing tea for the Bank staff prior to 2004. She denied the suggestion tendered by the workman that Santosh Das was working as canteen boy @ Rs. 1000/- per month fixed for preparing tea in the bank premises. But they did not obtain any certificate from

Santosh Das regarding his engagement of the workman as stated by her. She also could not say whether Santosh Das was granted bank loan for providing generator service. She also could not say whether any quotation was invited for the service of generator after expiry of the initial period of 3 years as agreed upon with Santosh Das. It is denied by the MW.1 that Santosh Das was favoured by the Bank to provide generator for the Bank.

The Management witness No. 2 Sri Santosh Das stated that he was engaged in the year 1993 in the SBI, Dinjan Branch for supplying tea, snacks etc. to the employees of the Bank; and at that time there was a generator in the Dinjan Branch supplied by Sashi Brothers which he used to look after. After death of Sashi Sahi, the Proprietor of Sashi Brothers his wife Pratima Devi has been supplying generator in the said Branch. Thereafter due to computerisation of the Bank high power generator was essential to be installed and the proprietor of Sashi Brothers was asked to install high power generator but they refused and took away the generator installed by them. Then he (MW2) installed a high power generator in the SBI, Dinjan Branch in 2004 and since then he has been looking after the generator as well as supplying tea, snacks, etc to the staff of the said Branch. He also mentioned that he knows the workman B.K. Sinha who was staying with his brother who was maintaining a book shop within the Army Cantonment Complex where the SBI, Dinjan Branch is situated and B.K. Sinha was introduced through their Bank Manager Mr. T.K. Singha and said T.K. Singha told him that he requires service of a boy and advised him engage B.K. Sinha to look after the work of generator. He also said that the workman B.K. Sinha used to look after the works of generator and nothing else and sometimes worked in the Bank as cleaner but he did not know the mode of payment by the Bank to the workman. He categorically mentioned that the workman had worked with him from 2004 to 2008 and thereafter he discharged the workman and in absence of the workman his brother would look after the works of the generator etc. In course of his cross-examination the MW.2 confirmed that he had been working in the Canteen of SBI, Dinjan Branch since 1993 and getting wages amounting to less than Rs. 1000/- and thereafter Rs. 1000/- and at present Rs. 1250/- per month; and his brother Ranjit Das who assisted him since 2008 for some days but at present he has been managing the works of generator and canteen alone. He also said that the workman B.K. Sinha used to attend the generator from 9 A.M. to 5 P.M. and the operator is to attend in the event of load shading to restoration of power; he added that he did not maintain any account in respect of payment to the workman Sri B.K. Sinha but now he is attending the Bank occasionally and one Chandan Sarkar is looking after the generator. From 2004 to 2008 he used to attend the Bank daily and to discharge the duty of the canteen. He has proved his

application by which he offered his proposal to install generator to the SBI, Dinjan Branch *vide* Exhibit-H. The MW.2 has proved the Deed of Agreement for hiring of generator set installed at SBI, Dinjan Branch with effect from 1.5.2004, 1.7.2006 and 15.3.2010 marked as Exhibit-A, B and C respectively. He mentioned that in the year 1993 there was a permanent Sweeper in SBI, Dinjan Branch but he could not recollect the name, and after sometime the said sweeper left and since then the Bank used to get sweeping works done by engaging casual workers. But he did not say whether the workman worked since 2004 regularly. However he said that B.K. Sinha used to stay in the Bank regularly from 2004 to 2008. The witness Santosh Das denied the suggestions put forward by the learned Advocate for the workman that the workman did not operate his generator set at any time; and as he is working in the Bank he is telling lie favouring the Bank; and that he is deposing in favour of the bank as he has been engaged by the bank for a long time and the bank also provided loan to him for purchasing generator set.

9. From the evidence of both the sides as discussed above it is found that the workman Sri B.K. Sinha is claiming that he was engaged by the Management of SBI, Dinjan Branch as Sweeper (casual) with effect from 29.3.2004 to 16.9.2008 with assurance by the Management to regularize him in due course and before his appointment the Manager of Dinjan Branch tested him by holding interview and practical test of sweeping, grass cutting etc.; and in addition to his duties as Sweeper he had to perform the work of grass cutting, clearing etc. in the Bank premises and also to work as messenger for collecting stationeries etc. He also took the plea that his payment was made through petty cash vouchers/petty cash register and on raising bills by him through debit slip, account pay in slip, daily, weekly and sometimes monthly. In support of his contention the workman has produced the copies of petty cash vouchers *vide* Exhibit-4 to Exhibit-33, Exhibit-36 to Exhibit-47; extracts from the petty cash Register marked as Exhibit-43 to Exhibit-81 (proved in original) and Exhibit-83 to Exhibit-131; by raising bill by the workman *vide* Exhibit-133 to Exhibit-135, Exhibit-137 to Exhibit-139, Exhibit-140 to Exhibit-147 and by bankers cheques and debit, credit vouchers of SBI, Dinjan Branch *vide* Exhibit-148 to Exhibit-162, Exhibit-164, 165, 168 to Exhibit-171, and Exhibit-175. He also mentioned that the payments for the works of cleaning ATM premises/rooms was made on raising vouchers by the workman *vide* Exhibit-176 to Exhibit-194 (proved in original). The contention of the workman is that as he worked for such a long period for more than 240 days in a year with effect from 29.3.2004 to 16.9.2008 he is entitled to be reinstated and regularized by the Management. The Management on the other hand totally denied the plea of the workman as to his engagement as casual workers against the Post of sweeper by the Management with assurance to regularize him in due course and that interview/practical

test was held before his appointment. They also denied the averment that the workman had to perform the work of cleaning/sweeping of ATM room/premises and grass cutting/cleaning of Bank premises in addition to his duties as Sweeper.

The Management has brought a different story that one Santosh Das installed a generator in the Dinjan Branch of SBI on contract basis for supplying power to the Bank at the time of load shading/distribution of power and the workman B.K. Sinha was engaged by said Santosh Das as generator operator; and as B.K. Sinha was available in the Bank premises, the Bank management in exigencies availed his service from grass cutting, clearing of record room, stationery stores, Bank premises and sometime to carry out the duty of messenger in absence of permanent messenger of the Bank; and the payment was made on the basis of the work done by him. The payments were made weekly, after performance of the job assigned to him or after 10 to 20 days from the date of performance which are neither made on daily wage basis nor monthly wage basis and hence, the amount so paid can not be considered as his salary or wages. The Management also took the plea that no recruitment process was absolved in engaging the workman nor there any appointment letter/discharge letter issued against the workman by the Bank.

10. On perusal of the documents relied upon both the sides it appears that the petty cash vouchers issued by the Bank *vide* Exhibit-4 to Exhibit-33, shows that at the first instance the workman was paid @ Rs. 50/- on daily basis on different dates on 29.3.2004, 1.4.2004, 2.4.2004, 3.4.2004, 5.4.2004, 6.4.2004, 7.4.2004, 12.4.2004, 15.4.2004, 16.4.2004, 17.4.2004, 19.4.2004, 20.4.2004, 21.4.2004, 22.4.2004, 23.4.2004, 24.4.2004, 28.4.2004, 8.7.2004 (over written as 8.4.2004 *vide* Exhibit-22), 17.9.2004, 18.9.2004, 20.9.2004, 23.9.2004, 25.9.2004, 27.9.2004, 28.9.2004, 29.9.2004, 30.9.2004, 1.10.2004, 4.10.2004, 7.10.2004, 8.10.2004, 9.10.2004, 12.10.2004, 13.10.2004, 14.10.2004, 15.10.2004 and through petty cash Register payment amounting to different figures such as Rs. 400/-, Rs. 25/-, Rs. 250/-, Rs. 30/-, Rs. 6/-, Rs. 2000/-, Rs. 40/-, Rs. 50/- and different rates starting from 8.7.2004 to 31.10.2007. Thereafter the Bank made the payment on raising bill @ Rs. 60/- per day by the workman on different dates for the period from 1.12.2007 to 16.9.2008 *vide* Exhibit-133 to Exhibit-135, Exhibit-137 to Exhibit-147; and also by depositing through S.B. Account of the workman through Debit Pay in Slip in the Bank Account No. 98118071233 of the SBI, Dinjan Branch, the amount showing different figures such as Rs. 6,000/-, Rs. 1,800/-, Rs. 540/-, Rs. 70/-, Rs. 210/-, Rs. 110/-, Rs. 155/-, Etc. *vide* Exhibit-148, 157, Exhibit-159 to Exhibit-162, Exhibit-164, Exhibit-168 to Exhibit-171 and Exhibit-175 for the period from 12th April, 2008 to 17.5.2008 on different dates. Some payments were also made to the workman on raising bill by workman for the works of sweeping and cleaning of ATM

premises by the workman @ Rs. 30/- per day on different dates and showing different amount with effect from 15.11.2007 to 3.6.2008. The workman was also paid the amount for discharging the duty of messenger on raising bills with effect from 24.4.2008 to 18.6.2008 *vide* Exhibit-182 to Exhibit-196 on different dates.

During argument Mr. G.P. Bhowmik, learned Advocate for the workman submitted that the workman B.K. Sinha was engaged by the Branch Manager, SBI, Dinjan Branch as Sweeper (casual) from 29.3.2004 to 16.9.2008 and he was discharging his duties such as, sweeping, cleaning of the Bank premises and ATM room and also grass cutting, and he was entrusted to work as messenger. But suddenly he was discharged from his duties without observing the due process of law. He has mentioned that the workman has worked for more than 240 days in 12 consecutive months preceding to his discharge from service and hence, the workman is entitled to be reinstated. Mr. Bhowmik also added that the Management Bank has already engaged any person as Sweeper after dismissal of the workman and as such, the Management Bank has been doing unfair labour practice following pick and choose policy. He also added that the Management also took the plea that the workman is not engaged by them and as such, the workman is not a workman as defined in Section 2(s) of the I.D. Act.

Mr. Bhowmik also pointed out that from the vouchers, petty Cash Register, pay-in-Slips and the Bills shows that the workman worked for long period of 4 years 5 months continuously and if the workman is not found eligible by the Court to be regularized by the Management, he can not be deprived of getting reinstatement as well as benefits as retrenched worker as provide u/s 25(F) of the Act. In support of his contention Mr. Bhowmik relied upon the decision of the Hon'ble Supreme Court in Ramesh Kumar vs State of Haryana, reported in AIR 2010 SC 683 wherein it was held that if sufficient materials are shown that workman has completed 240 days then his service can not be terminated without giving notice or compensation in lieu of it in terms of section 25F and no notice or compensation in lieu of it was given to him, in such circumstances his termination was illegal. Mr. Bhowmik further referred the decision laid down in In-Charge Officer and Another vs Shankar Shetty published in (2010) 9 SCC 126 wherein it was observed as : "Respondent was engaged as a daily wager in 1978 and his engagement continued for about 7 years intermittently up to 6.9.1985 *i.e.* about 25 years back. In a case such as the present one, it appears to us that relief of reinstatement cannot be justified and instead monetary compensation would meet the ends of justice. In our considered opinion, the compensation of Rs. 1,00,000/- (Rupees one lakh) in lieu of reinstatement shall be appropriate, just and equitable".

Learned Advocate for the workman again submitted that the approach of the Courts must be compatible with constitutional philosophy of which Directive Principles of

State policy constitute an integral part and justice due to the workman should not be denied by entertaining the specious and untenable grounds put forward by the employer-public or private; and in doing so Court should make an effort to protect the rights of the weaker sections of the society in view of the clear constitutional mandate mentioned above. In this connection Mr. Bhowmik referred the decision of the Hon'ble Supreme Court held in *Harjinder Singh vs Punjab State Warehousing Corporation* reported in AIR 2010 SC 1116 wherein it was laid down that any attempt to dilute the constitutional imperatives in order to promote the so-called trends of Globalisation, may result in precarious consequences; reports of suicidal deaths of farmers in thousands from all over the country along with escalation of terrorism throw dangerous signal; and that if we may remember Tagore who several decades ago, in a slightly different context spoke of eventualities which may visit us in our mad rush to ape western ways of life.

Mr. A. Dasgupta, learned Advocate for the Management vehemently objecting the arguments raised by the learned Advocate for the workman submitted that the workman was neither appointed by the Management observing the formal process of appointment adopted by the Management Bank nor he was engaged by the Bank authority against any permanent post making advertisement for appointing the workman, no relationship of employer-employee existed between the parties and hence, in view of the ratio of *Umadevi's* case the question of regularization or reinstatement as prayed for by the workman in his evidence, does not arise. He also mentioned that the vouchers/petty cash Registers and the Pay-in-Slips produced by the workman had been discharging his job as casual Sweeper regularly on any fixed wage such as monthly, weekly or in other specific period but the payments were made by the Bank in accordance with the work done by him in exigencies of the Bank. He also mentioned that the vouchers also do not justify that the workman had rendered continuous service of the Bank for 240 days in 12 consecutive preceding months from his disengagement as such, the disengagement of the workman from his job by the Management of SBI, Dinjan Branch, can not be termed as retrenchment as defined in Section 2 (oo) of I.D. Act. Therefore, the workman is not entitled to the benefit of Section 25(F) as the pre-requisite of retrenchment has not been fulfilled in the instant case. Thus the Management has not committed any illegality in terminating the services of the workman B.K. Sinha and as such, the workman is not entitled to any benefit.

11. The workman has produced the copies of petty cash vouchers, extract from the petty cash Registers, the copies of Bills for sweeping and cleaning of Bank premises and the bills for cleaning of ATM premises of SBI, Dinjan Branch, and the copies of Account pay-in-Slip/Debit Slip by which the payment made by the Bank was deposited in the account of the workman maintained in the

Management's Bank. On careful scrutiny of the petty Cash vouchers marked as Exhibit-4 to Exhibit-42, it appears that the workman has worked for 37 days during the period with effect from 29.3.2004 to 15.10.2004, and the petty cash Registers for the period with effect from 1.11.2004 to 24.12.2004 marked as Exhibit-43 to Exhibit-52 the workman worked for 44 days. Thus the total working days is 81 during the year 2004. From the extracts copies of the petty cash Registers marked as Exhibit-53 to Exhibit-70 for the period with effect from 6.1.2005 to 30.12.2005 it appears that the workman has discharged his duties as casual worker for 235 days and in the said petty cash Registers the payment made to the workman has been shown as daily wage as well as daily charges paid to the workman, some payments were also shown for cleaning and grass cutting of the compound. It is also seen in the said petty cash Registers (Exhibit-53 to Exhibit-70) some payments were made to another persons as daily wages and labour charges namely Santosh, Raju Sinha, M. Mishra, Pinku Sonowal, Munna Lal and others who received the payment by putting their thumb impression for jungle cutting of the Bank premises, cleaning of Bank premises and other works. From the Exhibit-71 to Exhibit-94, the petty cash Registers for the period from 6.1.2006 to 23.12.2006 the workman appears to have worked for 320 days *i.e.* during the year 2006 and the payment was made to the workman for cleaning, grass cutting, labour charges etc., but there is no specific mention of the engagement of the workman as Sweeper regularly. Although the workman appears to have drawn the payments @ Rs. 50/- per day for 320 days from the bank for different type of works he has not been able to establish that he was engaged by the bank regularly as Sweeper during the period from 6.1.2006 to 31.12.2006. It will be more specifically evident from the Exhibit-95 to Exhibit-97 which shows the workman has drawn the labour charge/daily wage @ Rs. 50/- per day for 37 days with effect from 15.1.2007 to 31.1.2007 (*i.e.* within 17 days in the month of January, 2007). From 13.2.2007 to 28.2.2007 *vide* Exhibit-98 to Exhibit-100, the workman has been shown worked for 30 days, but it is quite surprising that how the workman has been shown that he had worked for 30 days in the month of February, 2007 consisting of total 28 days not to speak of the working days. From 1.3.2007 to 31.12.2007, Exhibit-101 to Exhibit-106 the number of working days shown as 33 days *i.e.* in the month of March, 2007, From 12.4.2007 to 30.4.2007 *vide* Exhibit-107 to Exhibit-108 the number of working days shown as 17 days; from 1.5.2007 to 31.5.2007 *vide* Exhibit-109 to Exhibit-111, the number of working days shown as 39 days in the month of May, 2007; from 1.6.2007 to 30.6.2007 *vide* Exhibit-112 to Exhibit-114 the number of working days shown as 31 days in the month of June, 2007; from 1.7.2007 to 31.7.2007 *vide* Exhibit-115 to Exhibit-117, the number of working days shown as 29 days in the month of July, 2007; from 1.8.2007 to 31.8.2007 *vide* Exhibit-118 to Exhibit-122 the number of working days shown that the daily wages paid to the workman for 34 days in the

month of August, 2007 for cleaning of bank premises, from 1.9.2007 to 30.9.2007 *vide* Exhibit-123 to Exhibit-126 the number of working days shown as 34 days in the month of September, 2007, from 1.10.2007 to 30.10.2007 *vide* Exhibit-127 to Exhibit-131 the number of working days shown as 32 days. From the copies of the Bills submitted by the workman *vide* Exhibit-133 for the month of December, 2007, it appears that the workman has worked for 11 days only. Thus the number of working days as shown in the petty cash Registers for the year 2007 as mentioned about it appears that in some months the workman have been shown to have paid for more than 30 days/more than the working days, while in the month of December he had worked 11 days only.

12. In *Range Forest Officer vs S.T. Hadimani*, (2002) SCC 25; *Rajasthan State Ganganagar Sugar Mill Ltd. vs State of Rajasthan and another* (2004) 8 SCC 246; and in *Batala Coop. Sugar Mills Ltd. vs Sowaran Singh* (2005) 8 SCC 481, wherein, Hon'ble Supreme Court has been pleased to held that where the workman's claimed that he had worked for more than 240 days in the year preceding termination it is for the workman to adduce evidence apart from examining himself or filing Affidavit, to prove the said factum and such evidence may be in the form of salary or wages for 240 days or record of his appointment or engagement for that year to show that he had worked with the employer for 240 days. In the instant case from the evidence of both the sides it is found well established that the workman was engaged by the SBI, Dinjan Branch as daily wagger in need for cleaning of bank premises, grass cutting, and also cleaning of ATM premises; and in certain occasion the workman was engaged as messenger and other miscellaneous works and the payment was made on the basis of the works performed by the workman. There is also nothing on record to show that the workman was engaged against any permanent vacancy holding any interview after making advertisement or collecting the names of the candidates sponsored by the Employment Exchange nor any appointment letter or discharge/dismissal letter was issued to the workman. Further the workman has also failed to prove that he had worked 240 days continuously in 12 consecutive months perceding to his dis-engagement. Thus it is crystal clear that the workman has not been able to fulfill the criteria for regularization.

In his pleading the workman categorically mentioned that he was paid daily basis @ Rs. 50/- per day and thereafter it was increased to Rs. 60/-. He also averred that for cleaning ATM premises he was paid @ Rs. 30/- but the Petty Cash Vouchers, the Petty Cash Registers, the Bills raised by the workman and the Debit Pay-in-Slip which were relied upon, as the basis of his regular engagement but in none of the documents marked as Exhibit-4 to Exhibit-194 as discussed above there is mentioned of payment of daily wage @ Rs. 60/- for cleaning and sweeping the bank premises and @ Rs. 30/- for cleaning ATM premises of the Bank. As such, the workman has not been able to prove his contention that he worked under the SBI, Dinjan Branch regularly and

was paid @ Rs. 60/- at any point of time. From the Bills raised by the workman *vide* Exhibit-176 to Exhibit-181 it appears that the workman performed the cleaning of ATM for 24 days with effect from 1.11.2007 to 24.1.2008 and in the month of March, April and May, 2008 he submitted Bills for cleaning the ATM premises @ Rs. 300/- per month each. As such, the engagement of the workman is irregular and he was entrusted to perform different nature of works by the Bank on different dates in need of the Bank, and the payment was also made on the basis of the work done by the workman as it reveals from the Petty Cash Vouchers, Petty cash Registers, Debit Pay-in-Slip as well as the bills raised by the workman as mentioned above. The petty cash Register also shows that some other workers were engaged by the Management for cleaning, grass cutting etc. in the bank premises on daily basis. Under the above circumstances, it can safely be held that the workman is not entitled to reinstatement and also to get any benefit u/s 25F of the I.D. Act.

13. In view of my above discussion and having regard to the findings arrived at as above, I find no illegality or irregularity committed by the Management of State Bank of India, Dinjan Branch, in terminating the service of Sri Binoy Kr. Sinha with effect from 16.9.2008. Accordingly, this Reference is decided in negative, against the workman.

Send the Award along with a soft copy of the same to the Ministry as per procedure.

Given under my hand and seal of this Court on this 30th day of September, 2013 at Guwahati.

L.C. DEY, Presiding Officer

नई दिल्ली, 18 अक्टूबर, 2013

का०आ० 2495.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दि बैंक ऑफ राजस्थान लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या 41/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-12012/7/2005-आई आर(बी-1)]
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 18th October, 2013

S.O. 2495.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 41/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of The Bank of Rajasthan Limited, and their workmen, received by the Central Government on 18/10/2013.

[No. L-12012/7/2005-IR(B-I)]
SUMATI SAKLANI, Section Officer

ANNEXURE

**BEFORE SHRI SURENDRA PRAKASH SINGH,
PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH**

Case No. I.D. 41/2005

Sh. Ramesh Singh son of Shri Munshi Ram, C/o Shri
Yash Pal Thakur, House No. 51, Sector-9A, Chandigarh.

Applicant

Versus

The Regional Manager, The Bank of Rajasthan Ltd.
Now ICICI Bank, Regional Office, SCO 127-128, Sector-
17-C, Chandigarh.

Respondent

APPEARANCES

For the workman : Workman along with
Shailendra Sharma Advocate.

For the management : None.

AWARD

Passed on 23.9.2013

Central Govt. vide notification No. L-12012/7/2005
[IR(B.I)], dated 14.09.2005, has referred the following
dispute to this Tribunal for adjudication:

"Whether the action of the management of The
Bank of Rajasthan Ltd. Regional Office, Chandigarh
in terminating the Services of Shri Ramesh Singh
w.e.f. 24.10.2003 without any notice and payment
of retrenchment compensation is legal and justified?
If not, to what relief the concerned workman is
entitled to and from which date?"

2. Today the case was fixed for the evidence of the
workman. The workman along with his representative appeared
and made a statement that he does not want to pursue his
reference No. 41/05 against the ICICI Bank as he is not
interested and the same may be disposed off as withdrawn.

3. In view of the above statement of the workman,
the present reference is returned to the Central Govt. as
withdrawn. Central Government be informed. A soft as well
as hard copy of the award be also sent to the Central Govt.
for publication. File be consigned.

Chandigarh, 23-09-2013

S.P. SINGH, Presiding Officer

नई दिल्ली, 18 अक्टूबर, 2013

कांआ 2496.—राष्ट्रपति, न्यायमूर्ति श्री दीपक साहा राय, को
08.10.2013 (पूर्वाहन) से केन्द्रीय सरकार औद्योगिक न्यायाधीकरण-
सह-श्रम न्यायालय, कोलकाता, के पीठासीन अधिकारी के रूप में
01.06.2016 तक अथवा अगले आदर्शों तक, जो भी पहले हो, नियुक्त
करते हैं।

[सं ए-11016/2/2011-सीएलएस-II]

राजेश कुमार, अवर सचिव

New Delhi, the 18th October, 2013

S.O. 2496.—The President is pleased to appoint
Justice Sh. Dipak Saha Ray as Presiding Officer of the
Central Government Industrial Tribunal-Cum-Labour Court,
Kolkata w.e.f. 08.10.2013 (F/N) for a period upto 01.06.2016
or until further orders, whichever is earlier.

[No. A-11016/2/2011-CLS-II]

RAJESH KUMAR, Under Secy.

नई दिल्ली, 22 अक्टूबर, 2013

कांआ 2497.—राष्ट्रपति, न्यायमूर्ति श्री भरत पाण्डे, को 10.
10.2013 (पूर्वाहन) से केन्द्रीय सरकार औद्योगिक न्यायाधीकरण-सह-
श्रम न्यायालय, जयपुर, के पीठासीन अधिकारी के रूप में 31.12.2017
तक अथवा अगले आदर्शों तक, जो भी पहले हो, नियुक्त करते हैं।

[सं ए-11016/5/2012-सीएलएस-II]

राजेश कुमार, अवर सचिव

New Delhi, the 22nd October, 2013

S.O. 2497.—The President is pleased to appoint
Justice Sh. Bharat Pandey as Presiding Officer of the Central
Government Industrial Tribunal-Cum-Labour Court, Jaipur
w.e.f. 10.10.2013 (F/N) for a period upto 31.12.2017 or until
further orders, whichever is earlier.

[No. A-11016/5/2012-CLS-II]

RAJESH KUMAR, Under Secy.

नई दिल्ली, 24 अक्टूबर, 2013

कांआ 2498.—औद्योगिक विवाद अधिनियम 1947 (1947
का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारत
पेट्रोलियम कॉरपोरेशन लि० एवम नूतन कंस्ट्रक्शन अहमदनगर के प्रबंधन
के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट
औद्योगिक विवाद में औद्योगिक अधिकरण नं० 2, अहमदनगर के पंचाट
(संदर्भ संख्या 3/2008) प्रकाशित करती है जो केन्द्रीय सरकार को
18/10/2013 को प्राप्त हुआ था।

[सं एल-30012/45/2007-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2498.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby published the award (Ref. No. 3/2008)
of the Industrial Tribunal/Labour Court No. 2 Ahmednagar
now as shown in the Annexure in the Industrial Dispute
between the employers in relation to the management of
M/s. Bharat Petroleum Corporation & Nutan Construction,
Ahmednagar and their workman, which was received by
the Central Government on 18/10/2013.

[No. L-30012/45/2007-IR(M)]

JOHAN TOPNO, Under Secy.

ANNEXURE**IN THE SECOND LABOUR COURT AT AHMEDNAGAR
(BEFORE SHRIR.B. CHORGHE, PRESIDING OFFICER,
2ND LABOUR COURT, AHMEDNAGAR)****Reference (IDA) No. 3/2008**

1. The Manager,
M/s. Bharat Petroleum Corporation Ltd.,
Akolner Depot, Post—Akolner,
Dist. Ahmednagar. **First Party No. 1**
2. M/s Nutan Construction,
Village Akolner,
Tal. Nagar Dist. Ahmednagar. **First Party No. 2**

Versus

Sanjay Jaywant Harde,
Age-33 years, Occ-Nil,
R/o Sarola Kasar,
Tal. Nagar, Dist., Ahmednagar. **Second party**

Coram:— Shri R. B. Chorghe, Presiding Officer,
2nd Labour Court, Ahmednagar.

APPEARANCES:—

Shri. A. V. Patil, Advocate for First Party No. 1
Shri Khatke Advocate for First Party No. 2.
Shri A.Y. Garje, Advocate for Second Party.

AWARD**(Delivered on 07-06-2012)**

1. Present reference was referred for adjudication by the Officer of Government of India, Bharat Sarkar, Ministry of Labour/Shram Mantralaya, *vide* order dated 01-04-2008 holding that the Central Government is of the opinion that an industrial dispute exists between the employer M/s Bharat Petroleum Corporation Ltd., and their workmen. Hence, it referred the dispute for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947. The issue as per schedule was to be adjudicated. On receipt of reference, my Ld. Predecessor issued notices on both concerned parties. They were served.

2. The second party namely Sanjay Jaywant Harde, filed 'Statement of Claim' *vide* Exh-5 challenging the illegal termination dated 27-7-2007 and prayed for setting-aside the same and reinstatement with continuity in service and full back wages. It is contended that the first party namely Bharat Petroleum Corporation Ltd. is having its depot at Akolner, District- Ahmednagar. He started construction and thereafter functioning of storage and distribution of petrol, diesel, kerosene and oil. When the work was started there was one Manager, one Assistant, four operators and to clerks. There was no office boy or peon. Also there was no watchman.

3. As there were vacancy of post of watchman, second party approached the first party No. 1 for the post of security guard. He was allowed to resume on duty *w.e.f.* June, 1993 He was drawing monthly salary of Rs. 700/- initially from the first party No. 1 who use to allot him duty and supervise his work. It is his contention that false and fabricated documents were prepared to show him as employee of contractor. That being satisfied with his work, he was taken in the office as a 'peon' in the year, 1999. His initial payment was Rs. 1400/- per month. He was allotted the work to draw Demand Draft, Deposit Demand Draft in the Bank, withdraw the amounts from the Bank, purchase the stationary and other miscellaneous items, and also to submit samples at Manmad Depot and to bring documents from there. He was carrying out his duties as directed.

4. That the work of loading and unloading, gardening and sweeping was given to one Popat S. Bhor on contract basis and it was carried out in the name of first party No. 2 M/s Nutan Construction. That, no muster roll was maintained by the first party No. 1. Though second party was being paid along with employees engaged by first party No. 1. That, his last drawn salary was Rs. 3500/- per month. He was insisting for maintaining muster-roll and pay-sheets to have a status as permanent employee. He had put up his grievance. Being annoyed, on 27-7-2004 it was told that his services are no more required. He made a complaint on 11.10.2004 and 17-11-2004 to the Assistant Labour Commissioner, Ahmednagar. Since the competent authority is at company, no response was given. It is further contended that the first party No. 1 during the conciliation proceeding stated that he was employed by first party no. 2, Contractor. The second party submit that first party no. 2 -Contractor M/s Nutan Construction never engaged him or made payment to him. There is no employer-employee relationship between second party and first party No. 2 M/s Nutan Construction. That, he is a 'workman' and the first party No. 1 M/s Bharat Petroleum Corporation Ltd. is his employer. Just by taking advantage of paper arrangement, his services are terminated. There was no compliance of one month notice, notice pay. He was working continuously through out the year. There was no charge sheet or show cause notice issued to him. Hence, he prayed for setting aside the termination and reinstatement with continuity in service and full back wages.

5. That, the first party No. 1 M/s Bharat Petroleum Corporation Ltd. appeared through their Advocate and filed 'written statement' *vide* Exh. C-11 denying all contentions, allegations and averments of the second party made in the Statement of Claim, stating that the claim is not legal and tenable according to law, hence, it be rejected *limine*. That, the second party Sanjay Jaywant Harde was engaged by the contractor M/s Nutan Construction and as such he was not a 'workman' within the meaning of section 2 (s) of Industrial Disputes Act, 1947. The instant reference needs to be rejected for want of employer-employee relationship.

That the first party no. 1 has executed a contract with M/s. Nutan Construction, an independent contractor for carrying out Marfatia jobs as per terms and conditions stipulated in the said contract.

6. It is further submitted that on 29-6-2004 at about 12.30 p.m. when depot incharge Shri D.B. Jadhav was coming inside the depot premises, he saw the second party Sanjay Harde carrying aluminum bucket which is used for correcting the quantity of petrol filled in the tank lorry, and going towards tank lorry filling shed from two wheeler parking area. It was found that he has pilfered petrol from tank-lorry and filled in this motor cycle parked at parking area. Accordingly, report was given. He was caught red-handed while committing theft. Hence, M/s. Nutan Construction shifted him from the Marfatia Job and arranged to engage him through the contractor performing Tank Wagon unloading job at the said depot. The second party did not report at new place and discontinued reporting for work. He was never recruited/appointed by the first party no. 1. Hence, reference is not tenable. There was no employer-employee relationship between first party no. 1 and second party. All contentions are denied parwise. Repeatedly saying that he was employed by the contractor. It is further contentions of the first party no. 1 that the first party no. 1 has given the contract for providing the security services at the Akolner Depot to M/s. Security Services & Intelligence Bureau, Thane during the year 1993. The second party was initially engaged through above agency under its full supervision and control and paid the wages by the said agency. Thereafter, the second was engaged by first party no. 2-contractor M/s. Nutan Construction who was doing miscellaneous jobs for and on behalf of first party no. 1, Hence, reference be rejected.

7. The first party no. 2 appeared but failed to file reply to the statement of claim and contest the reference.

8. Through the issues were framed by my Ld. Predecessor. It is a reference in which issues as per schedule is to be decided.

Issues	Findings
1. Whether the services provided to the second party Sanjay Jaywant Harde, directly by the management of Bharat Petroleum Corporation Ltd. can be treated as direct employment under Bharat Petroleum Corporation Ltd. while it is established that at the time of removal from service, the payment was made by the contractor M/s. Nutan Construction engaged by M/s. Bharat Petroleum Corporation Ltd.?	in the negative does not survive

2. If yes, what relief to be provided to the workman concerned?

3. What relief?

As per final order.

REASONS

9. As to issue No. 1:- It is pertinent to note here that since the reference is referred for adjudication on the specific issue, this court is bound by the same and cannot extend the scope of statement of claim or demands of second party beyond schedule attached to the reference. So far as employment of second party is concerned, except mere words he cannot make out that he was engaged by first party no. 1. He had filed evidence on affidavit and certain documents *vide* Exh. U-8. It is a account of Skypak Services Specialists Ltd. for the month of August, 2000. It is called daily pick-up - State Bank of India in the name of client M/s. Bharat Petroleum Corporation Ltd. (Exh. U-15). He also brought on record certificate at Exh. U-16 issued by the then Dy. Manager (Admin.) West. It was the certificate issued on 23-1-2001 mentioning that he was working with Bharat Petroleum Corporation Ltd. He was authorised to carry 9 Gold coins of 8 gms each. On the said basis he is claiming that he was employee of M/s. Bharat Petroleum Corporation Ltd.-first party no. 1, He has produced xerox copy of one challan alleged to be prepared by him for and on behalf of Bharat Petroleum Corporation Ltd. (Exh. U-17). Also one letter addressed to the Treasury Officer, Ahmednagar for collecting the stamp paper in the name of Bharat Petroleum Corporation Ltd. (Exh. U-18) Copy of bearer cheque (Exh. U-19). It is a fact that earlier second party Sanjay Harde was appointed through Security Agency and the construction was going on. Then and thereafter when actual functioning of depot was started on M/s. Nutan Construction, an independent contractor for carrying out miscellaneous work on contract basis. The second party was employee of said contractor, working in the office of Bharat Petroleum Corporation Ltd., Depot at Akolner, Dist. Ahmednagar. He was being paid by the contractor. In the reference also this fact is emphasize that it is established fact that at the time of removal from service payment to the second party was made by the contractor M/s. Nutan Construction engaged by Bharat Petroleum Corporation Ltd.

10. The first party no. 1 through its Advocate have filed on record number of documents *vide* Exh. C-14 which are collectively marked Exh. C-18. They are bills in respect of miscellaneous jobs done at the depot submitted by M/s. Nutan construction. It is emphasis that those payments were made by Bharat Petroleum Corporation Ltd. to M/s. Nutan Construction for hiring the services of second party. Also filed on record *vide* Exh. C-19 a Certificate of Registration in respect of Contract Labour (Regulation & Abolition) Act. Also *vide* Exh. C-20 a certificate of particulars. *Vide* Exh. C-21 particulars of

registration, agreement in respect of Marfatia contract with M/s. Bharat Petroleum Corporation Ltd. which is at Exh. C-22, details of contract vide Exh. C-23, Part time marfatia Contract vide Exh. C-24; the first party no. 1 vide Exh. C-26, C-26, C-27, C-28, C-29 and C-30 is another agreement stating out terms and conditions. All the documents are in respect of contract with M/s. Nutan Construction are produced after Exh. C-31. Further a copy of tender for providing security services at proposed oil depot. Akolner is produced. Further bio-data's of security guards employed at the relevant time vide Exh. C-42; Security Services & intelligence Bureau, Thane - the charges for security arrangement rendered at Akolner Depot for the month of June, 1993 along with names of employees mentioned. Mr. S.J. Harde is also one of the employed as a security guard. Memorandum of agreement dated 4-7-1994 is also produced between Bharat Petroleum Corporation Ltd. and M/s. Security Services & Intelligence Bureau. Vide Exh. C-43 the muster rolls for the concerned period are produced showing the number of employees employed by M/s Bharat Petroleum Corporation Ltd. Nowhere the name of the second party is mentioned. Thus, from October, 1997 the first party no. 1 M/s. Bharat Petroleum Corporation Ltd. has tried to prove that the second party was never employed by them directly. Except the documents filed at Sr.no. 2 of Exh. U-8, there is nothing to show that he was employed by M/s. Bharat Petroleum Corporation Ltd. He was not under direct employment of Bharat Petroleum Corporation Ltd. He has raised the claim on the basis of said document. Except this he cannot produce any other documents to show that he was employed by them.

11. It is pertinent to note that, the first party no. 1 M/s. Bharat Petroleum Corporation Ltd. is Government of India undertaking. There are rules and procedure for recruitment of employees. Advertisements are published. exams, interviews are held, written appointment letters are issued, muster rolls are maintained. No such documents are produced on record by the second party. Though he had given a notice demanding documents, he himself cannot provide that he was employee of first party no. 1.

12. The documents produced by the first party on record along with evidence of their witness examined on affidavit one Mr. Deepak Baburao Jadhav, Dy. Manager Ops, number of facts are disclosed. He had filed affidavit as to how documents claimed by the second party could not be produced. As the second party was employee of contractor, those documents are with M/s. Nutan Construction, who did appear but did not file say in the present case. He was contractor and had not contested the reference.

13. The second party relied upon the judgment reported in 2001 (4) L.L.N. 1156, wherein it is held that,

"the non-production of muster roll comes in the way of the management as it was the best evidence in its possession. Adverse inference was rightly drawn by the Labour Court." So far as fact brought on record by first party no. 1 in the present case are concerned, merely non production of documents as required by the second party will not come in the way of management because they have produced their muster roll wherein name of second party is nowhere mentioned.

14. He also relied upon the judgement reported in 1988 I C.L.R. 38, wherein it is held that, in case of abandonment of service, the employer has to give a notice to the workman calling upon him to resume his duty and also to hold an inquiry before terminating his service on that ground. As it is established and proved by the first party no. 1 Bharat Petroleum Corporation Ltd. that the second party was not employed by them. He was employee of contractor and on shifting his job he discontinued himself. It is not concern of first party to issue him show cause notice or initiate disciplinary action, as there was no employer-employee relationship. Hence, the ratio laid down in above cited Judgment will not help the second party.

15. He also relied upon the Judgment reported in 2010 I CLR 549. It is on the point of completion of 240 days in preceding 12 months and termination in contravention of Section 25-F of the Act. So far as issue referred for adjudication is concerned this court is not supposed to go beyond the limit and scope of the issue. It is to be find out whether second party was employed by M/s. Bharat Petroleum Corporation Ltd., directly as it was established that he was being paid salary till termination by M/s. Nutan Construction-contractor. Under these circumstances, having abandoned the services or alleged to have been terminated, he cannot seek benefit or retrenchment compensation from first party No. 1 - M/s Bharat Petroleum Corporation Ltd. The first party no. 1 has proved that there was a contract and registered agreement between them and M/s. Nutan Construction to provide services of miscellaneous work through Marfatia. These documents are sufficient to hold that the second party was never employed by the first party no. 1.

16. He also relied upon the Judgment reported in 2007 I CLR 292. It is also on the point of abandonment of services, where employer must give notice calling upon workman to resume duty and must also hold enquiry before terminating service. It is nothing but repetition of earlier citation.

17. In order to defend the Statement of Claim and to put up their case, the first party no. 1 relied upon the judgment reported in 2005 I L.L.J. 1153. It is on the point of Delay and Laches - Though no time limit prescribed for raising industrial dispute, stale claim, held, could not be entertained. Looking at the facts on record, the second

party was allegedly terminated in the year 2004. He has raised the dispute in the year 2008 and reference was referred for adjudication in the year 2008. There was considerable delay. By the time there was no industrial dispute in existence at all, however the procedural part have taken its time. The reference cannot be rejected on the sole ground but it is held that raising of dispute by the second party at the belated stage creating doubt about its certainty.

18. They have also relied upon the judgement reported in 2006 II LLJ 722, it is case between Secretary, State of Karnataka and others v/s Umadevi and others. It is one of the point of right of temporary employees of a State to seek permanent status on the basis of long service. Any recruitment to Stat service to be governed by rules, constitutional and statutory. No doubt, the first party no. 1 M/s. Bharat Petroleum Corporation Ltd., is a Central Government undertaking. It has its own rules and regulation for appointment of staff-employees. The second party could not establish his employment by Bharat Petroleum Corporation Ltd., directly.

19. The first party relied upon the judgment reported in 2007 III CLR 143. It is one the point of statutory bodies like appellant bound to implement constitutional scheme of equality. As disclosed earlier, though the first party no. 1 is a statutory body, the employment of second party was not as per laid down procedure. He was employed through contractor. Hence, cannot avail the benefit of reinstatement.

20. The first party no. 1 further relied upon the judgment reported in 2008 (119) FLR 589. It is in respect of Contract Labour (Regulation and Abolition) Act, 1970-workers, engaged through contractors-scope of judicial review of reference is very limited. The ratio laid down in the above cited judgment is fit to the present case and circumstances, as it is proved that the second party was employed through contractor, he cannot avail the benefit as a regular employee of first party no. 1, as prayed.

21. The first party also relied upon the judgement reported in 2008 (119) FLR 293. It was in respect of the issue as to who is actual employer of the contract labourer. So far as present case is concerned, said issue is the only issue for adjudication and it is proved that the second party was employed by contractor who carried out work for first party no. 1.

22. The first party no 1 relied upon the judgment reported in 2005 II LLJ 153. It is a famous case of Kendriya Vidyalaya Sangathan case, where it is held that, it is observed that the respondent had neither pleaded nor placed any material to show that he was not gainfully employed. It pointed out that the initial burden was on the employee to prove the above fact.

23. First party no. 1 also replied upon the Judgement in Writ Petition No. 1615 of 2008 delivered by High Court of Bombay, Bench at Aurangabad on 08-07-2009 on the same point that, the second party failed to establish that he was not gainfully employed but admitted in cross examination that he was working on daily wages and earning Rs. 150/- as and when work was available. That case is sufficient to reject the reference.

24. Considering the facts and circumstances and evidence on record with the ratios laid down in above cited judgments submitted by rival parties, I am of the opinion that the second party failed to establish that he was directly under employment of M/s. Bharat Petroleum Corporation Ltd. The fact that he was working with them as a office boy and carrying out certain duties as a Marfatia through contractor does not mean he was regular employee employed by them. Hence, I answered Issue No.1 in the negative. Issue No. 2 does not survive and Issue No. 3 as per final order, and proceed to pass following award.

AWARD

1. Reference is answered in the negative.

2. Party no. 2 is not entitled for any reliefs.

3. Copies of award be sent to the Government for publication.

Ahmednagar R. B. CHORGHE, Presiding Officer
Dated: 07.06.2012

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2499.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स प्रोजेक्ट कंस्ट्रक्शन कारपोरेशन भगवन्तपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं० 1, धनबाद के पंचाट (संदर्भ संख्या 53/2008) को प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-29012/86/2008 - आई आर (एम)]
जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2499.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 53/2008) of the Central Government Industrial Tribunal/Labour Court, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Project Construction Corporation, Bhawanathpur and their workman, which was received by the Central Government on 18/10/2013.

[No. L-29012/86/2008-IR (M)]
JOHAN TOPNO, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD**

In the Matter of Reference U/s10(1) (D) (2A) of
I.D. Act, 1947

Ref. No. 53 of 2008

Employers in relation to the management of M/s. Project
Construction Corporation

AND

Their workmen.

PRESENT: Sri Ranjan Kumar Saran,
Presiding Officer

APPEARANCES:

For the Employers : None
(RMD/SAIL)

For M/s. P.C.C. : Sri Arjun Singh Adv.

For the workman, : Sri B.K. Sarma, Concerned
workman

State:- Jharkhand Industry:-Steel

Dated. 16/9/2013

AWARD

By Order No. L-29012/86/2008-IR-(M-I), dt. 31/10/2008, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of M/s. Project Construction Corporation, Bhawanathpur Distt-Garhwa in terminating the service of Sri Vinay Kumar Sharma, Card No. 164 C/o M/s. PCC Bhawanathpur Distt Garhwa is just and fair? What relief he is entitled to and from which date?"

2. The case is received from the Ministry of Labour on 17.11.2008. After notice, both parties appeared. The workman files thier respective written statement on 04.12.2008, rejoinder and documents. It is seen, parties are fighting litigation without having any result.

3. This Court after hearing both sides feel the dismissal orders passed by the management be revoked. The service of the workman to continue will today *i.e.* 8/8/13 and this date be treated as his date of premature retirement. But the workman is not given any back wages.

4. Considering the facts and circumstances of this case. I hold, the reference is allowed in part, the service of

the workman be continued till 8.8.2013 and the date 8.8.2013 is treated as his premature retirement and he be given no back wages. But his retirement dues till 8.8.2013, be given him forthwith after publication of the award in the gazette. Implementation or non implementation of the award be intimated to the undersigned.

This is my award.

R.K. SARMA, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

कांआ 2500—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स एयर इंडिया नागपुर के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 76/2003) को प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-11012/19/92-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2500.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 76/2003) of the Central Government Industrial Tribunal/Labour Court Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Air India, Nagpur and their workman, which was received by the Central Government on 18/10/2013.

[No. L-11012/19/92-IR(M)]

JOHAN TOPNO, Under Secy.

ANNEXURE**BEFORE SHRI J.P.CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/76/2003

Date: 06.09.2013.

Party No. 1 : The Officer-in-charge,
Air India, Civil Lines, Nagpur.

Party No. 2 : Shri Arun C. Gote,
At & Post: Gumgaon,
District Nagpur.

AWARD

(Dated: 6th September, 2013)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government had referred the industrial

dispute between the employers, in relation to the management of Air India and their workman, Shri Arun C. Gote, for adjudication, to C.G.I.T.-Cum-Labour Court, Jabalpur, as per letter No. L-11012/19/92-IR (Misc.) dated nil, with the following schedule:—

"Whether the action of the management of Air India Nagpur in terminating the services of Shri Arun C. Gote, Casual Labour w.e.f. 25.12.1991 and engaging Shri Kishore A. Ramteke as casual workman w.e.f. 26.12.1991 is justified? If not, to what relief he is entitled?"

Subsequently, the case was transferred to this Tribunal for adjudication in accordance with law.

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Arun Gote, ("the workman" in short), filed the statement of claim and the management of Air India, ("Party No. 1" in short) filed their written statement.

The case of the workman as presented in the statement of claim is that he was sponsored by the local employment exchange, as required by the party no.1 and he was appointed as a labourer on 02.09.1991 with party no.1, as per appointment letter No. NAG/52/101 dated 16.08.1991 and at the time of appointment, he was given clear understanding that his appointment was on regular job in the establishment of party no.1 and before his appointment by party no.1, he was employed in a private sector firm on regular employment and he resigned from the said job and accepted the appointment of party no.1 and nothing was mentioned in the appointment order or in the letter issued by the Employment Exchange that his appointment was for a short period and he requested time and again to the officer-in-charge, for issuance of regular appointment order and was assured verbally by the officer that the needful would be done in due course of time and when he insisted for issuance of regular appointment order in the last week of December, 1991, on 24.12.1991, he was ordered not to come for duty from the next date and on 26.12.1991, party no.1 employed one Shri Kishore Asaram Ramteke in his place and Shri Ramteke was not sponsored by the employment exchange and the action of the party no. 1. in terminating his services is illegal, as same was done in violation of the principles of natural justice and provisions of section 25 of the Act and the provisions of Shops and Commercial Establishments Act and he is entitled for reinstatement in service with continuity and back wages.

3. The party no.1 in the written statement has pleaded inter-alia that the workman was never appointed on the regular post as a regular employee and from time to time depending on the exigency of work, it requires loaders and other employees on casual and daily wages basis and such

casual and daily wages employees are offered work as and when required and work is offered to these persons strictly depending on the work load and it is not incumbent upon it to provide work to all the casual workers referred by the employment exchange to it.

It is further pleaded by party no.1 that the workman was working as handyman in Nagpur office, which is an offline office having extremely limited activities and there is no permanent post of peon/handyman in that office and the said work is carried out that management cannot be forced to create post to regularize the casual workers and the workman was one such person referred by the Employment Exchange and he was appointed strictly as a casual daily labourer on 02.09.1991 and he was never given any clear understanding that his appointment was on a regular post and as there is no permanent post of handyman existing at the office of Nagpur, the question of appointing the workman on regular post does not arise and the workman concealed the vital information of his working in a private sector firm and his resignation from the said job, deliberately, when he appeared for the interview and he also did not inform about his appointment in a private sector firm to the Employment Exchange, which he was bound to do and the workman was not entitled to be referred to by the Employment Exchange and as the workman did not approach the management with clean hands, the reference is liable to be dismissed on this ground.

The further case of party no.1 is that letter dated 16.08.1991 is not an appointment order, but the same is a letter of intimation informing the workman to contract the concerned official on a specific date and the letter dated 19.07.1997 issued by the Employment Exchange is also not a letter of appointment, but an information about its (party no.1) requirement of a casual labourer and to contact its Sales Manager on the date mentioned in the same and in the said letter, it was clearly mentioned that he would be paid Rs. 42/- per day and it is clear from both the said letters that it was clearly and specifically mentioned therein that the post available was of a casual nature and not a regular post and the workman had not put in 240 days of continuous service during the period of 12 months as provided under the provision of law and the workman was never assured that needful would be done in respect of regularizing him by any of its officers and the services of the workman were terminated as the period of employment ended and not because, he insisted for making him permanent and the fact that the workman requested for regularisation even prior to completion of 240 days of work very eloquently proves that he was aware of the casual nature of the employment.

The party no.1 has admitted that the workman was discontinued from services on 24.12.1991 and Shri Ramteke was appointed.

The party no.1 has further pleaded that Shri Ramteke was also referred by the Employment Exchange and the termination of the workman was neither unjust nor unfair and it did not commit any breach of legal provisions under any Act and any unfair labour practice as laid down in Vth Schedule of the Act or any other provision of law and the case of the workman is not at all a case of victimization and it is not correct to say that the workman was terminated from services not in good faith, but in colourable exercise of power by it and the claim of the workman is devoid of merit and the workman is not entitled to any relief:

4. In the rejoinder, the workman has pleaded that the appointment of casuals on the basis of workload did not exist in his case, because he was removed and another person was appointed against the same position and no fair practice permits termination of services of one person without any reason or notice and appointing of another person against the very vacancy and party no.1 has violated the statutory provisions of section 25-T and Schedule V of the Act and as such, the action of party no.1 is a clear cut case of unfair labour practice. The rest of the contention of the rejoinder is mostly reiteration of the facts mentioned in the statement of claim.

5. In order to prove their respective stands, both the parties have led oral evidence, besides placing reliance on the documentary evidence.

The workman has only examined himself as a witness in support of his case, one Shri Pramod Mahadeorao has been examined as a witness from the side of the party no.1.

The evidence of the workman in his examination-in-chief, which is on affidavit, is in the line of the stands taken in the statement of claim. However, in his cross-examination, the workman has admitted that he was appointed as a casual labourer on daily wages basis by Air India and he started working with Air India from 02.09.1991 and was terminated from service on 24.12.1991 and he worked for 120 days in total and he was getting Rs. 42/- as daily wages and he did not submit any written application to the management to regularize his service.

6. The evidence of the witness examined on behalf of the party no.1, which is on affidavit is in the line of the stands taken in the written statement. In his cross-examination, the witness for the party no.1 has stated that the name of the workman was sponsored by the Employment Exchange for his appointment and 20 to 25 persons were sponsored by the Employment Exchange and at the time of interview of the workman, only one casual labourer was working in the office of the Air India and Air India had engaged 18 different casual labourer as and when required, before the engagement of the workman and the period of engagement of those 18 casual

labourer as and when required, before the engagement of the workman and the duration of engagement of those 18 casual labourer was according to the need of the office extending from one month to two months and there was no post of class-IV in the office of the Air India and there was work of class-IV employee in the office and after termination of the service of the workman, Kishore Asharam Ramteke was engaged by the office on casual basis.

7. At the time of argument, it was submitted by the learned advocate for the workman that the workman was appointed against a permanent vacancy and it is clear from the pleadings of the Party No.1 and the admission of the witness for the management that the name of the workman was sponsored by the Local Employment Exchange and his selection was made after he was interviewed and it is also clear from the materials available on record that 18 casual labourers were engaged by the Party No. 1 for short periods, one after the other, prior to the appointment of the workman and after the workman was terminated, another person, namely Kishore Asharam Ramteke was appointed immediately against the same vacancy, which clearly shows that there was permanent need of a class-IV employee and the Party No. 1 adopted unfair labour practice and the services of the workman were terminated without any reason and without following the due procedure of law and as the termination of the workman is illegal, he is entitled for reinstatement in service with continuity and full back wages.

8. Per contra, it was submitted by the learned advocate for the party no. 1 that there was and is not permanent post of peon in the office of Party No.1 and the workman was engaged as a casual labourer on 02.09.1991 and the workman was intimated in clear terms in the letter issued by the Party No. 1 and so also by the Employment Exchange that his engagement was on casual basis on daily wages of Rs. 42/- and the workman was aware that his engagement was as a casual workman and as the workman did not put in continuous service of 240 days in one year, there was no question of giving any notice or retrenchment compensation to the workman and the workman was not engaged after completion of the specific period of his engagement and the workman has admitted such facts in his cross-examination and as the workman was appointed as a daily wage earner and not to any post, he cannot claim any benefits from Party No. 1 and the workman is not entitled to any relief.

In support of the submission, the learned advocate for the Party No. 1 placed reliance on the decisions reported in (2006) 5 SCC-764 (*Huda Vs. Jagmal Singh*) and (2006) 13 SCC-28 (*Bhogpur Co-operative Sugur Mills Ltd. Vs. Harmesh Kumar*).

9. Before delving into the merit of the matter, I think it necessary to mention the principles enunciated by the

Hon'ble Apex court in the decision reported in (2006) 5 SCC-764 (Supra). The Hon'ble Apex Court have held that:—

"Labour Law-Reinstatement-with continuity in service and back wages-Claimed by sweeper who was appointed by appellant on daily wages-Claim made 41/2 years after his discharge from service (according to appellant the respondent had left the service of his own) evidence led by appellant before labour court to establish that respondent had not completed 240 days' service in any of the three years, he worked with appellant-But still labour court decided the issue of attendance of respondent in his favour-Held, approach of the labour court in calculating the statutory period of 240 days in a year was erroneous-Moreover, respondent having been appointed only as a daily wage earner and not as a permanent employee, he cannot claim any right to the post and no right accrued to him to claim any benefits from appellant-Industrial Disputes Act, 1947, Sec. 11-A, 25-B."

So, keeping in view the principles enunciated in the above decisions, now the present case in hand is to be considered.

10. In this case, it is clear from the evidence on record including the admission of the workman and the documents, Exts. W-II and W-III that the workman was appointed as a casual labourer on daily wages and he worked with Party No. 1 from 02.09.1991 to 24.12.1991 and he was getting Rs. 42, as daily wages. It is also clear from the materials on record that the workman was intimated by the Employment Exchange vide letter, Ext. W-III that Party No. 1 was in need of a casual daily wage worker with daily wages of Rs. 42 and the Party No. 1 also intimated the workman vide letter, Ext. W-II that his engagement was a casual labourer.

11. It is settled beyond doubt by the Hon'ble Apex Court in a string of decisions that to avail the benefits of the provisions of section 25-F read with section 25-B of the Act, it is necessary for the workman to prove that infact he had worked for 240 days in the preceding 12 calendar months of the alleged date of termination. In this case, it is the own case of the workman that he worked from 02.09.1991 to 24.12.1991. It is clear that the workman neither worked for 12 calendar months nor 240 days in 12 calendar months preceding the date of the termination. So, the workman is not entitled to the benefits of the provisions of section 25-F of the Act.

12. Admittedly, clause (5) (10) of the 5th Schedule as given in the Act says that to employ workman as "badlis, casuals or temporaries and to continue as such for years, with the object of depriving them of the status and privileges of permanent workman amounts to unfair labour practice.

Section 25-T of the Act says that no employer or workman or a trade union whether registered under the Trade Unions Act, 1926 or not, shall commit any unfair labour practice. For committing unfair labour practices, penal provisions have been provided.

However, in this case, the workman was not continued as a casual worker for years together. His engagement was only for a period of four months. It is also clear from the materials on record that the engagement or appointment of the workman was not as a permanent employee or against any permanent vacant post. His appointment was only as a daily wage earner. So, applying the principles enunciated by the Hon'ble Apex Court in the decision report in (2006) 5 SCC-764 (Supra), which are squarely applicable to the case in hand, it is found that the workman cannot claim any benefits from the Party No. 1. Hence, it is ordered:—

ORDER

The action of the management of Air India Nagpur in terminating the services of Shri Arun C. Gote, Casual Labour *w.e.f.* 25.12.1991 and engaging Shri Kishore A. Ramteke as casual workman *w.e.f.* 26.12.1991 is justified. The workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2501.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स हिरी डोलामाइट माइन्स ऑफ भिलाई स्टील प्लांट विलासपुर इंडियन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 209/96) को प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल० 29012/29/96-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2501.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 209/96) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Hirri Dolomite Mines of Bhilai Steel Plant, Distt. Bilaspur and their workman, which was received by the Central Government on 18/10/2013.

[No. L-29012/29/96-R (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/209/96

PRESIDING OFFICER: SHRI R.B. PATLE

Organising Secretary,
 Chhattisgarh Mines Shramik Sangh,
 Branch Hirri Mines,
 PO Hirri Mines,
 Distt. Bilaspur

.....Workman/Union

Versus

The Mines Manager,
 Hirri Dolomite Mines of Bhilai Steel Plant,
 PO Hirri Mines,
 Distt. Bilaspur

.....Management

AWARD

Passed on this 11th day of September, 2013

1. As per letter dated 27-11-96 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-29012/29/96-IR(M). The dispute under reference relates to:

"Whether the action of the management of Hirri dolomite Mines of Dolomite Mines of Bhilai Steel Plant, Hirri, Bilaspur in removing Shri Nand Lal and Smt. Dhireja Bai Ex-DPR Mazdoor from service *vide* order No. OMQ/HM/Estt/PRM/4(2)/348 dated 21-1-94 and order No. OMQ/HM/Estt/PRM/4(2)/349 dated 21-1-94 is justified? If not, to what relief the workmen are entitled to?"

2. After receiving reference, notices were issued to the parties. 1st party workman failed to file statement of claim. Workman is proceeded ex parte on 16-9-09.

3. Management filed ex parte Written Statement. 2nd party submits that on 2-5-93 Mines Manager was surrounded by 30-35 male female workers near Mumbai temple were shouting that Mines Manager Basak should not be spared. CISF Security Staff advised workers let the Mines Manager talk by sitting in the Mines Office. Said request was not accepted by labours. The labours were demanding payment of arrears and DA and regular services. The Mine Manager told that DA arrears were not paid to regular employees at the moment. The workers were shouting exhibiting to beat the management. After the Mines Manager given undertaking for payment of DA arrears, he was relieved. Because of above facts chargesheet was issued to Shri Nandlal and Smt. Dhireja Bai. After receiving reply, Enquiry Officer V. Mahalingam Manager Personnel was appointed. M.Z. Rahim was appointed as Prosecution

Nominee. The enquiry was conducted Hindi translation of chargesheet was supplied to the workman. The statement of management's witnesses were recorded. After findings of Enquiry Officer, charges were proved. The workers were removed from service.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| (i) | Whether the action of the management of Hirri dolomite Mines of Dolomite Mines of Bhilai Steel Plant, Hirri, Bilaspur in removing Shri Nand Lal and Smt. Dhireja Bai Ex-DPR Mazdoor from service <i>vide</i> order No. OMQ/HIM/Estt/PRM/4(2)/348 dated 21-1-94 and order No. OMQ/HIM/Estt/PRM/4(2)/349 dated 21-1-94 is legal? | In Affirmative |
| (ii) | If not, what relief the workman is entitled to?" | Relief prayed by workmen are rejected. |

REASONS

5. 1st party workman though challenged order of their termination of service, no statement of claim is filed by them. They failed to participate in the reference proceeding. Management filed statement of claim giving details of incidents occurred and enquiry conducted. Management's witness Shri Mahadeo filed affidavit of evidence covering details of enquiry conducted against workman. His evidence remained unchallenged therefore the termination of services of 1st party workman cannot be said illegal. For above reasons I record my finding in Point No.1 in Affirmative.

6. In the result, award is passed as under:—

- (1) The action of the management of Hirri dolomite Mines of Dolomite Mines of Bhilai Steel Plant, Hirri, Bilaspur in removing Shri Nand Lal and Smt. Dhireja Bai Ex-DPR Mazdoor from service *vide* order No. OMQ/HM/Estt/PRM/4(2)/348 dated 21-1-94 and order No. OMQ/HM/Estt/PRM/4(2)/349 dated 21-1-94 is legal.
- (2) Relief prayed by workman are rejected.

7. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R.B. PATLE, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का.आ. 2502.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स ग्रे आयरन फाउन्डरी जबलपुर, मध्य प्रदेश के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 119/85) को प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं. एल-42012/6/85-डी-II (बी)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2502.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 119/85) of the Central Government Industrial Tribunal/Labour Court Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Grey Iron Foundry, Jabalpur (MP) and their workman, which was received by the Central Government on 18/10/2013.

[No. L-42012/6/85-D-II (B)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/119/85

PRESIDING OFFICER: SHRI R.B. PATLE

Shri Bashir Khan,
S/o Habib Khan,
R/o Azizganj, Pasyana,
PO Anand Nagar,
Adhartal, Jabalpur (MP)

....Workman

Versus

The General Manager,
Grey Iron Foundry,
VFJ Estate, Jabalpur (MP)

...Management

AWARD

Passed on this 6th day of September 2013

1. As per letter dated 2-12-1985 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No.L-42012(6)/85-D-II(B). The dispute under reference relates to:

"Whether the action of the management of Grey Iron Foundry Jabalpur (MP) in awarding punishment of removal from service to Shri Bashir Khan, Crane Driver B (EDG) w.e.f. 3-5-1982 is

justified? If not, to what relief is the workman concerned entitled?"

2. After receiving reference, notices were issued to the parties. Ist party workman filed statement of claim at Page 13 to 23. The case of Ist party workman is that he was appointed as Crane Driver "B" at Grey Iron Foundry on 6-3-74 and allotted Ticket No. 1147/264/F.S. That on 18-11-80, around 3 PM, he went out of main gate of the factory duly searched. When he reached the cycle stand, he was called back by Security Darban and directed to go to rigorous search room inside the gate. He told the security darban that he had already been searched and was going home. There upon he was forcibly taken to rigorous search room inside the main factory gate. Chargesheet was issued to him under Rule 14 of CCS Rules 1965. The charges were that 3 pieces of brass about 300 gm were found from right shoes, nine pieces of Copper electronic 525 gm were found from right shoe and Nineteen pieces Nickel Plated electronic copper 625 grams were found from his left shoes.

3. It is further submitted by workman that Shri K.D. Sanyal, Dy. Manager was appointed as Enquiry Officer. He was asked to submit names of three defence assistance who should be Central Govt. employees to assist him in his defence—Shri Sunderlal Verma, K.L. Vishwakarma & Ram Prasad Patel on 3-1-1982. That he had pleaded not guilty to the charge. That enquiry Officer did not inform the Defence Asstt. in the list about the enquiry proceedings. Consequently they could not remain present. My predecessor has found enquiry is vitiated. On such grounds, said order has received finality. Therefore I am not inclined to discuss in detail the pleadings on point of illegality of enquiry. That the date of theft in chargesheet is shown as 18-11-80 whereas the chargeman has stated on 30-11-80 is contradictory. Other witnesses Shri J.C. Kanwar, S.P. Sharma and P.N. Sharma have affirmed their statement recorded on 18-11-80. For statement who recorded it is not known neither it was disclosed before Enquiry Officer. The contents of statement have not been disclosed before Enquiry Officer. The workman did not get opportunity to cross-examine to test veracity of the witnesses. On such grounds, it is submitted that the enquiry is not legal. Workman suffers prejudice in his defence. He is illiterate person and not able to defend himself. The workman prays for reinstatement with consequential benefits.

4. Management filed Written Statement at Page 5 to 11. Management of Ist party submits that punishment was imposed on the basis of proved charges of theft against workman. Penalty is legal, proper. Workman is not entitled to any relief prayed by him. It is further submitted that on 18-11-80, on vigorous search, brass, copper metal pieces concealed in the shoes were recovered from the workman. Initially he had refused for his search. When it was brought to his notice that it was also the offence, the search was given and metal pieces were recovered.

Workman in his statement recorded by Officer and admitted that he had committed similar incidents in the past as well. Workman was provided Hindi version of the chargesheet. They have not submitted names of 3 employees for Defence Assistant, the enquiry was therefore proceeded ex parte. The list was submitted subsequently. That cross-examination of the prosecution witnesses was done by the individual. The punishment was imposed after charges against workman were proved. IInd party prayed for rejection of relief prayed by workman. It is further submitted that in the past workman was censured for attempting theft of Govt. property on 13-2-80, he was also warned for misuse of LTC privilege.

5. After recording evidence by my learned predecessor vide order dated 9-3-92 enquiry was vitiated, management was given opportunity to prove misconduct by evidence. The issues were framed on 28-10-86 as under and my findings are recorded against those issues.

- | | |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| (i) Whether the enquiry is proper and legal? | Enquiry found illegal |
| (ii) Whether the management is entitled to lead evidence before this Tribunal? | IInd party was permitted to prove misconduct by adducing evidence |
| (iii) Whether the punishment awarded is proper and legal? | Punishment of removal from service of workman is not legal |
| (iv) Whether the termination/action taken against the workman is justified on facts of the case? | Punishment of removal from service of workman is not legal |
| (v) Relief and costs | As per final order |

REASONS

6. Issue No.1&2—As per order dated 9-3-92, my learned predecessor has already held enquiry as vitiated. The application filed for its review has been rejected twice. However the management was permitted to adduce evidence to prove the misconduct against workman. For above reasons, Issue No.1, 2 are answered accordingly.

7. Issue No. 3,4—Management was permitted to adduce evidence to prove the misconduct alleged against workman. Management filed affidavit of witness Shri J.S.Verma. Said witness of the management in his affidavit has stated that his statement dated 18-11-80 given to the management was in connection of theft of Govt. property committed by Shri Bashir Khan. He confirmed said statement given by him. On 18-11-80, he was called by Security staff around 15.45 hours at main gate. When he reached main gate, he saw some material pieces lying in search room on the table in presence of orderly officer/Foreman. He was told by Orderly Officer to examine and identify the material when I identified to be as made of Copper and Brass pieces and some of them were plated.

These pieces are used as electric contacts. Said Govt. property was confiscated from Shri Bashir Khan, Ex-Crane Driver of MT Section. In his cross-examination, the above witness of the management says search of labour/workman was not conducted in his presence. Thus his evidence is completely shallow in his cross-examination. Personal search of workman and recovery of metal articles is not known from his evidence. As stated above, the enquiry is already vitiated. Thus the charges/misconduct alleged against workman is not proved. When misconduct alleged against workman is not proved, punishment of removal from service cannot be said legal. Therefore I record my finding on Issue No. 3,4 in Negative.

8. Issue No.5—In view of my finding on Issue No. 3, 4, the misconduct alleged against workman is not proved, the punishment of removal from service is not legal. Question arises to what relief the workman is entitled? Workman was removed from service w.e.f. 3-5-82 about more than 30 years back. The affidavit of evidence of workman shows his age 37 years on date of filing affidavit i.e. 17-10-95. His affidavit is silent about he was in gainful employment or not. The management has also not pleaded or adduced evidence that the workman Bashir Khan is in any kind of employment. However the workman has not explained how he is maintaining his family during such a long period. Considering above aspects in my considered view, the order of removal deserves to be set-aside. That reinstatement of 1st party with 50 % back wages would be appropriate and meet the ends of justice. Accordingly I hold and record my finding on Issue No.5.

9. In the result, award is passed as under:—

- (1) The action of the management of Grey Iron Foundry Jabalpur (MP) in awarding punishment of removal from service to Shri Bashir Khan, Crane Driver B (EDG) w.e.f. 3-5-1982 is illegal.
- (2) IInd party management is directed to reinstate workman Shri Bashir Khan with 50 % back wages.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R. B. PATLE, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

कांआ 2503.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स सेन्टरल वेयर हाउसिंग कोरपोरेशन, भोपाल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 90/89) प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-42012/01/89-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2503.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 90/89) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Ware Housing Corporation, Bhopal and their workman, which was received by the Central Government on 18/10/2013.

[No. L-42012/1/89-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/90/89

PRESIDING OFFICER: SHRI R.B. PATLE

Shri Suresh Bahadur Singh,
S/o Shri Jagannath Singh,
Bibia Karanpur, Shitala Ganj,
Pratapgarh (UP)

...Workman

Versus

The Regional Manager,
Central Ware Housing Corporation,
Regional Office, 52-53,
Amar Niwas, New Market,
T.T. Nagar, Bhopal

...Management

AWARD

Passed on this 10th day of May 2013

1. As per letter dated 2-5-1989 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D. Act, 1947 as per Notification No. L-42012/1/89-1R (Vividh). The dispute under reference relates to:

"Whether the dismissal of Shri S.B. Singh, Ex-chowkidar, Central Warehouse Burhanpur by the management of Central Warehousing Corporation, Bhopal w.e.f. 17-11-1986 is justified. If not, what relief is the workman entitled to?"

2. After receiving reference, notices were issued to the parties. 1st party workman filed his statement of claim at page 9 to 15. The case of 1st party workman is that he is ex-serviceman. He has passed H.S.C. He was appointed as watchman from 1-12-82 with IInd party Central Ware House, MP Region. That his appointment was against vacant post. He continued to work honestly and sincerely to the satisfaction of his superiors. That his name was sponsored

through Employment Exchange for said job as 1st party workman has distinguished different service record. He was found eligible as he was continuously working in the corporation from 1-12-82. That he was interviewed on 1-1-84. He was regularized as watchman from 1-1-84 in pay scale Rs. 196-232. He was allowed to draw salary and other benefits. That after 19-10-84, he was given daily wages. He continued to work on the said post. That by subsequent order dated 8-7-85, he was again allowed to draw monthly salary of permanent watchman. That he was continuously working till 17-11-86. Thereafter he was not allowed to work, he was not given any notice nor paid notice pay in lieu of notice. He was discontinued without assigning reasons. Any adverse remark were not communicated to him. His services were illegally terminated without issuing any chargesheet or holding enquiry. The employee junior to him are continued, only his services are dismissed.

3. 1st party workman further submits that IInd party is an Industry. He is a workman under provisions of I.D. Act. He has continuously worked from 1-12-82 to 17-11-86. He had completed 240 days during the preceding calendar year. Dispensing his services amount to retrenchment under Section 2(oo) of I.D. Act. he is dismissed in violation of Section 25-F, G & H of I.D. Act. He prays for reinstatement with consequential benefits.

4. IInd party filed Written Statement at Page 19 to 27. IInd party submits that 1st party workman was appointed as watchman on daily wages w.e.f. 1-12-1982 but on temporary basis. That 1st party workman was working as watchman on daily rated basis was sponsored by Employment Exchange. He was interviewed on 1-1-1984 for the post of watchman. That as per Staff Regulation Rules 1986, the maximum age limit for post of watchman is 25 years. The date of birth of workman is 15-12-1950. He was found overage by 6 months and 12 days after allowing relaxation for service period in Army and giving 3 years relaxation. However he was continued to engage on daily wages till the matter of relaxation was decided. That on grant of relaxation, he was given fresh offer of appointment on 8-7-85 against regular vacancy. The 1st party workman was reported on duty at Raigarh on 20-7-85. That his appointment was on probation for a period of one year w.e.f. 20-7-85, probation period was extended for further period of one year as per the Staff Regulations 1986. That oral performance of 1st party during probation period was not satisfactory therefore Competent Authority discharged his services from 16-11-86. He was paid one month's pay in lieu of notice.

5. IInd party management denies that workman was confirmed in the post of Chowkidar w.e.f. 11-5-84 and he continued on the said post till 17-11-86. The contentions of 1st party are alleged to be baseless. That there is no provision in regulation to communicate adverse remarks to the probationers. It is reiterated that as services record of

1st party workman are not satisfactory during probation period, he was discharged/terminated. That as per law, compensation was not payable to him. Provision of Section 25-G, H of I.D. Act are not applicable for termination during the said period. Considering unsatisfactory service record of 1st party, his services are terminated the Competent Authority. IInd party prays for rejection of relief claimed by the 1st party workman.

6. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| (i) Whether the termination of Shri S.B. Singh, Ex-Chowkidar, Central Warehouse Burhanpur by the management of Central Warehousing Corporation, Bhopal w.e.f. 17-11-1986 is justified ? | In Negative |
| (ii) If so, to what relief the workman is entitled to?" | Workman is entitled to reinstatement with 50 % back wages. |

REASONS

7. 1st party workman is challenging dismissal of his services from 16-11-86. IInd party management claims that workman was appointed on probation for a period of one year. His service record was not satisfactory therefore Competent Authority discharged him from service rather terminated him from 17-11-86. 1st party workman prays that he was engaged as chowkidar on temporary basis from 1-12-1982. Thereafter his name was sponsored through Employment Exchange and he was interviewed on 1-1-84. He was regularized in pay scale Rs. 196-232. He was allowed to draw salary in said pay scale. Those averment of 1st party workman are denied by the IInd party.

8. Exparte award was passed by my predecessor on 25-12-95 as 1st party workman failed to appear after notices. The reference was answered in favour of the management. The exparte award was set aside and 1st party has submitted his statement of claim and it was opposed by the management filing Written Statement.

9. 1st party workman filed evidence of affidavit at Page 95/1 to 95/3. He has stated facts consistent in his statement of claim that from 1-12-82, he was engaged on vacant post, his name was sponsored through employment exchange. He continuously worked till 1-1-84. After interview, he was brought in regular scale Rs. 196-232. He was given monthly salary as per order dated 8-7-05. That his services were discontinued from 17-11-86. He was not served with any notice. He was not paid one months pay in lieu of notice, any showcause notice was not given to him. He was given age relaxation by the Managing Director. He had not received adverse remark.

10. 1st party workmans was not cross-examined. His evidence remained unchallenged. IInd party management filed affidavit of witness Shri J.V. Bendre but he was not produced for cross-examination. Management filed affidavit of other witness Shri Mritunjoy Kumar Verma. The said witness has stated that 1st party workman was appointed as watchman from 1-12-82. That his name was sponsored through Employment Exchange. He was interviewed on 1-1-84 for the post of watchman. The officer memo/offer of appointment dated 11-5-84 was issued. On acceptance of terms and conditions, 1st party workman has submitted joining report and certificate. He was found overage by 6 months and 12 days as per Staff Regulation 1986. However he was continued on daily wages till relaxation was granted by the Managing Director of the Corporation. That Regional Manager provisionally originally allowed the workman to draw wages from 1-6-84 to 31-8-84 pending decision of relaxation of age. Othwerwise his services would have been terminated. That as per order dated 17-10-84, provisional appointment was cancelled. Regional Office, Bhopal has received letter dated 15-3-85 with regard to relaxation of age of workman. Thereafter workman was appointed as per order dated 8-7-85 as CDR Gr. II and posted at Raigarh. The joining report was submitted on 20-7-85. His appointment was on probation for one year. He was found confirmed alcoholic. His service record was unsatisfactory, he was found under influence of liquor, he was irregular in attendance, he might have been involved in theft of cement but escaped from police. There is no provision to communicate adverse remark during probation period.

11. In his cross-examination, management witness says that it is copy of conduct report by V. Armugam, Ware House Manager. Documents Exhibit M-9, M-10, M-9/A, M-11, M-12 & M-13 are proved by this witness. In his cross-examination, management witness says where it was necessary, the workman was supplied copies of the documents. In his presence, no copy was given to the workman, no acknowledgement of workman is produced. He claim ignorance whether the person whose signature are in the document are alive or dead. That workman was paid one months pay before discontinuance of his service.

12. Document Exhibit M-1 is appointment order dated 11-5-84 with reference to interview/regularization pay scale Rs. 196-232. It also finds condition No. 3 relates to the appointment on probation. Document M-2 is joining report dated 1-6-84. Docuemnt M-3 is certificate of date of birth. Date of birth of 1st party is 15-12-1950. Exhibit M-4 is letter dated 11-9-84 signed by Asstt. Manager, Administration to Personnel Manager about relaxation of age of the 1st party workman. If age was not relaxed, his services would be terminated without notice. Exhibit M-5 is letter given by Regional Manager to Personnel Manager dated 21-9-84 information that 1st party workman had completed 240 days continuous service. It was decided by office to regularise his services. Office memorandum was issued on 11-5-84.

There was reference about military services completed by workman from 6-4-71 to 5-9-74. That overage by 6 months 12 days was recommended to be relaxed. It is to be noted that said letter is given by Regional Manager without awaiting its decision. The appointment letter Exhibit M-6 is issued by the Regional Manager on 8-5-85. When Ist party workman was working from 1-12-1985, his name was sponsored through Employment Exchange. he was called for interview and appointed as per Exhibit M-1 dated 11-5-84. There was no need to again issue appointment order to the workman on 8-5-85. He is absolutely no reason to issue such appointment order. Document M-7 is joining report dated 20-7-85. It is filled in English, but appears not filled in writing of workman. Exhibit M-8 is office order dated 18-11-85 that Ist party workman was given pay scale Rs. 196-232 was made *w.e.f.* 20-7-85. Exhibit M-9, 9-A are the conduct report written by Ware House Manager, Raigarh and Dy. Manager, Raigarh. The reports are written on 25-6-86 & 5-1-87 after the order of his discharge was issued. Exhibit M-13 is office order dated 4-11-86 for one month's pay to the Ist party workman. However sanction order document Exhibit 12-A is dated 13-1-87. Thus the amount of notice pay appears sanctioned subsequent to termination. No document is produced about receipt of one months pay by the Ist party workman.

13. When IInd party management is contending that the services of Ist party workman were discharged as his service record was not satisfactory. The document discussed above shows that even the IInd party management tried to show that one months pay in lieu of notice was also paid. Thus the management of IInd party is not consistent on its defence, it is trying to justify the termination of Ist party workman contending that his appointment was in probation. It also tries to contend that one months notice pay was paid. Two appointment order were issued. The decision about relaxation of age was awaited. Thus the evidence of management is not consistent. Rather I may pointout that the documents produced by management with list dated 30-5-91, letter from Joint Manger dated 15-3-85 shows that relaxation in age and regularization of the Ist party workman was accorded. Unfortunately consel for workman denied that the document without understanding that document fully support the claim of Ist party workman.

14. Learned counsel for IInd party management Shri Shashi persuing his argument that services of workman were discharged during probation period as his service record was not satisfactory relates in Ratio held in case of Rajasthan State Road Transport Corporation and others *Versus* Zakir Hussain reported in 2005 (7) Supreme Court Cases 447. Their Lordship dealing with Termination of service of probationer, termination simpliciter preceded by adverse remarks held that having been reinstated with back wages about 15 long years ago his services directed to be discontinued without recovering the amount already paid. Their Lordship held in such circumstance, holding of an

enquiry before making the termination order, held was not obligatory.

In case of Muir Mills Unit of NTC (UP) Ltd. *Versus* Swayam Prakash Srivastava and another reported in 2007(1) Supreme Court Cases 491 Their Lordship dealing with termination of services during probation period for unsatisfactory work held such termination is permissible and such termination cannot be said to be stigmatic though the termination order may refer to probationer's service as being not satisfactory.

In case of M.V. Venugopal *Versus* Divisional Manager, Life Insurance Corporation of India Machilipatnam and another reported in 1994 (2) Supreme Court Cases 323. Their Lordship dealing with Regulation 14 of LIC of India Staff Regulations 1960 originally framed under Section 49 regarding probation of employees belonging to Class I and II deemed to a statutory rule under Section 48(2) (cc) relating to terms and conditions of service of the employees and has over-riding effect over S.s(oo) and 25-F of I.D. Act in view of the non obstante clause in S.48(2-C). It was held that operation of Section 2(oo) of I.D. Act excluded termination not being deemed to be retrenchment under Section 2(oo) See.25-F not attracted.

In present case, Ist party workman had completed 240 days service. After holding interview on 1-1-84, the appointment letter was issued in the year. 1984. There was no reason for again issuing appointment order dated 8-7-85. The evidence adduced and documents produced by mangement is not consistent. Therefore the ration held in all those case cannot be aplyed to the present case. For the same reasons, ration held in case of Chaitanya Prakash and another *Vrs.* H.Omkrappa reported in 2010-2-Supreme Court Cases 623 & LIC *Versus* Reghavendra Seshagiri Rao Kulkarni reported in 1997(8) Supreme Court Cases 461 cannot be applied to case at hand.

15. Ist party workman had already completed 240 days continuous service preceding his termination, his termination without notices, without payment of one month pay in lieu of notice, without payment of retrenchment compensation is illegal. The termination of Ist party workman is long back on 17-11-86. His evidence is not clear how he and his family are surviving. His claim for full back wages cannot be allowed. Therefore for violation of Section 25-F. G & H of I.D. Act, termination of services of Ist party workman is illegal. In my considered view, Ist party is entitled for reinstatement in service with 50% back wages. Accordingly I record my finding on Point No. 1 & 2.

16. In the result, award is passed as under:—

- (1) Termination of Shri S.B. Singh, Ex-chowkidar, Central Warehouse Burhanpur by the management of Central Warehousing Corporation, Bhopal *w.e.f.* 17-11-1986 is illegal.

- (2) Ist party workman is entitled to reinstatement with 50% back wages.

17. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R.B. PATLE, Presiding Officer.

नई दिल्ली, 24 अक्टूबर, 2013

का.आ. 2504.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स नेशनल मिनरल्स डवलपमेंट कोरपोरेशन लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 178/95) प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं. एल-43011/12/94-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2504.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 178/95) of the Central Government Industrial Tribunal/Labour Court Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of National Mineral Development Corporation Ltd. and their workman, which was received by the Central Government on 18/10/2013.

[No. L-43011/12/94-IR(M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/178/95

PRESIDING OFFICER: SHRI R. B. PATLE

General Secretary,
Panna Hira Khadan Mazdoor Sangh,
Hira Khadan Pariyojana,
Post Majhgawan,
Distt. Panna

....Union

Versus

General Manger,
National Mineral Development Corporation Ltd.,
Hira Khan Pariyojana,
Panna.

....Management

AWARD

Passed on this 25th day of April 2013

As per letter dated 10-10-98 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No. L-43011/12/94-IR(Vividh). The dispute under reference relates to:

"Whether the action of the mangement of M/s. National Mineral Development Corporation Ltd., Diamond Mining Project, Panna, MP in promoting Shri Santosh Kumar and Shri A.K. Siddiqui to N-8 scale ignoring the seniority of 10 employees mentioned below while implementing the settlement dated 7-7-89 is justified? If not, to what relief these ten workmen are entitled?"

2. After receiving reference, notices were issued to the parties. Ist party workman submitted Statement of claim through Shri Gomti Prasad and 9 other employees. The pleadings are very exhaustive with repetitions. The case of Ist party workman is that Shri Gomti Prasad joined services in the year 1967 as time-keeper. He was regularized on the post of time keeper but he was not paid regular scale of Rs. 110-181. That workman performed work and duties of time keeper in the year 1971. There was settlement between management and representative of the All India NMDC Workmen Federation. On 30-10-71, the post of time keeper was re-designated as LDC. That workman Gomti Prasad was not designated as LDC till 1977. He was not in a position to agitate this grievance of non-designating on the post of LDC since 1971 because of personal family problems and also because of heavy management pressure and their attitude towards how paid employees. That his services were of utmost importance looking to his starving family members.

3. He was designated as LDC in 1977. He was promoted in UDC on 14-08-96. That as per prevalent service conditions, the channel for promotion was - LDC Rs. 585-18-823, UDC- 610-22-904, and Section Officer 9 Supervisor Rank - Rs. 720-41-1273.

4. He further submits that he was working as UDC in August 1989, was entitled to be promoted to the post of Asstt. In the pay scale of Rs. 720-41-1273. As per settlement dated 16-12-89 was Rs. 1580-63-2021-70-2511 w.e.f. 1-1-89. That qualification of departmental candidates for promotion to the post of Asstt. was 3 years experience on the post of UDC. No departmental test was conducted. Therefore he was entitled to promotion as Assistant from 13-8-97. It is alleged that the management acted malafidely, arbitrarily, adopted, by adopting discriminatory attitude and exercise of powers of promotion illegally promoted Mr. A.R. Siddiqui and Shri Santosh Kumar by order dated 5-8-89 and 15-8-89 thereby superseding the applicant and 9 other employees. That name of applicant Shri Gomti Prasad Garg was at

Sl. No. 16, name of Shri A.R. Siddiqui and Santosh Kumar were not in seniority list of UDC. They were working as LDC., Ist party workman further submits that in February 1989 seniority list was displayed, his name was at Sl. No. 13. Name of Shri A.R. Siddiqui and Santosh were at Sl. No. 22 and 25 respectively. That Shri Siddiqui and Santosh were junior to him. They were not entitled for promotion. Any punishment was not imposed against the Ist party workman. On the other hand, Mr. Siddiqui was involved in misappropriation of amount and he was reverted to LDC. As per settlement dated 7-7-89, new channel of promotion was provided, junior Asstt. Grade-III, Jr. Asstt. Gr-II and Jr. Asstt. Gr. I, Assistant having different pay scales. Ist party workman submits that he has been discriminated and Mr. Siddiqui and Santosh Kumar are illegally promoted superseding him and 9 other employees. That he is entitled to promotion from date his juniors A.R. Siddiqui and Santosh Kumar were promoted. Ist party workman submits that he had submitted application dated 15-6-91 to Regional Labour Commissioner. That the matter was taken up before conciliation Officer at different times. However the management adopted delay in tactics and submitted settlement dated 7-7-89 for diverting the issue of supersession of workman. He also submitted details of the conciliation proceedings and initially Government refused to make reference. Therefore he had filed Writ Petition No. 2404/95. As per the judgment dated 27-7-95, the reference was made by the Government. It is repeatedly submitted that Mr. Santosh Kumar and A.R. Siddiqui junior to him were promoted, superseded Ist party workman Shri Gomti Prasad Garg and 9 others. Ist party workman prays promotion from the date of his supersession by the junior employees. He also prays for promotion to the post of Sr. Asstt. Grade-II on the basis of seniority *w.e.f.* 5-8-99.

5. IInd part submitted detailed Written Statement at Page 6/1 to 6/11. IInd party submits that as per clause E(1) and E(2) of agreement, 15 years experience was necessary for promotion therefore the reference was refused by the Government. It is repeatedly contended that the reference is not tenable in view of ratio held in AIR 1985 SCC-915, AIR 1985-SC-860 and settlement dated 9-7-89 providing the promotional channel. As per clause-"J", the parties had agreed not to raise the dispute. That the matter was discussed at length by representative of the management and the Union Representative before Conciliation Officer and settlement dated 1-1-91. It is further contended that the demands raised by Union with respect of seniority of 10 workmen who were superseded by 2 junior workmen were submitted before the Conciliation Officer. The matter was discussed with Management and the union and after discussion, it was mutually agreed that the matter will be referred and clarification sought from that Head Office as settlement was Tripartite Settlement signed before the RLC, Hyderabad between the management of NMDC and their workmen represented by NMDCWF and its affiliated

Unions at Hyderabad. Subsequently on receipt of clarification, the PHMKS Union has been informed *vide* office letter dated 21-8-93.

6. IInd party management submits that as per clause (e) of settlement dated 7-7-89, those workman who had completed 15 years in the grades on N-3 and N-4 combined on 7-7-89 were eligible for one time concession and such workmen were promoted to N-8. Other employees who were fulfilling 15 years service were not eligible for promotion.

7. IInd party management has given details of the promotional channel as per settlement dated 7-7-89 and duties of the respective categories. It is emphasized that the workman did not fulfil 15 years service as per the said settlement, hence was not eligible for the promotion. The chart of disclosing date of appointment, qualification, date of joining in different dates, total length of service is submitted of all 14 employees. IInd part prays for rejection of the demand of the Ist party workman.

8. Ist party workman submitted exhaustive rejoinder. It is submitted that after the reference is made by Central Government as per direction in Writ Petition. IInd party cannot be allowed to make submissions to the contrary. He has repeated his contentions that Mr. A.R. Siddiqui and Shri Santosh Kumar were illegally promoted superseding him. That the management had shown favour to Mr. A.R. Siddiqui and Shri Santosh Kumar while giving promotions. The action of the management is arbitrary. That Mr. A.R. Siddiqui was reverted to LDC by way of punishment for the period from 28-8-84 to 31-12-87. Mr. A.R. Siddiqui and Shri Santosh Kumar were not eligible for promotion. That in case of Shri Santosh Kumar, Clause E(2) of settlement was not followed as he did not appeared for departmental test for promotion to N-8 scale. That seniority was not maintained as such clause H of the agreement was violated.

9. IInd party management filed rejoinder at Page 8/1 to 8/10. For first time, IInd party submitted that Ist party workman were engaged on muster roll or daily wage basis were not covered under settlement dated 30-10-71. The workman was casually appointed as LDC/typist in L-3 scale from 12-7-77. That Mr. Gomti Prasad Garg was engaged on daily basis and posted in time office from 19-5-67. Shri Gomti Prasad Garg was appointed as LDC Typist alongwith others on 12-7-77 when the post fell vacant. That channel of promotion for clerical cadre, LDC, UDC, shown in annexure W-2 was in existence on 14-8-86. The workman was promoted to the post of UDC. The settlement dated 7-7-89 provided for promotional channels-Jr. Assistant Gr. III, II, I, Asstt. Sr. Asstt. Gr. II, I. Clause H of the settlement provided for departmental test for promotion to pay Grade N-8. That designation of UDC was not in existence since 7-7-89. There was no question of promoting workman to the post of Asstt. on 16-8-89. The workman was not fulfilling condition of 15 years service in Grade N-3 and N-4. Therefore workman could not be promoted.

10. It is submitted that Shri A.R. Siddiqui joined regular post of LDC on 25-9-70, Shri Santosh Kumar joined on 18-12-69, they have completed more than 15 years service. Therefore they fulfilled the eligibility, they were promoted. The allegation of superseding the workman, arbitrary or malafide acts are denied. The contentions of Ist Party workman in rejoinder are denied. IInd party management prays for rejection of claim.

11. Ist party workman filed rejoinder at Page 10/1 to 10/6. The adverse contentions of the IInd party are denied. It is denied that Shri Gomti Prasad Garg was working on daily wages during 1967 to 1977 is incorrect. That Mr. Gomti Prasad Garg was engaged in time office and actually appointed as LDC/Typist. As per pleadings of the IInd party, That Ist party was not re-designated from 30-10-71 but he was shown as LDC from 12-7-77 instead of 1971. That post of LDC was fell vacant. Male mazdoor, chainmen, khalasi and cap lamp room attendant were designated as LDC immediately after settlement dated 30-10-71. Some of them joined service after Ist Party workman Shri Gomti Prasad Garg such as Shri B.R. Tiwari, Shri N.L. Pyasi, Shri R.K. Namdeo, Shri A.R. Siddiqui, Shri Santosh Kumar, Shri Jagdish Prasad Sharma and Shri M.S. Jayal. That workmen who were not time keeper ought not to have been brought as LDC and the same is in utter disregard to the settlement dated 30-10-1971. Violation of clause E, E-1, E-2, H of the settlement is committed by the IInd party. That Shri A.R. Siddiqui was reverted to LDC. He cannot be entitled to post of UDC after reversion. The management counted 15 years on N-3, N-4 combined scales which means LDCs, UDCs and not scales. Ist Party pray that their demands may be allowed.

12. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i) Whether the action of the management of M/s National Mineral Development Corporation Ltd., Diamond Mining Project, Panna, MP in promoting Shri Santosh Kumar and Shri A.K. Siddiqui to N-8 Scale ignoring the seniority of 10 employees mentioned below while implementing the settlement dated 7-7-89 is justified? | In Negative. Denial of promotion to Shri Gomti Prasad Garg workman No. 2 is illegal. |
| (ii) If so to what relief the workman is entitled to?" | IInd party is directed to give promotion to Shri Gomti Prasad Garg from the date of promotion of Shri A.R. Siddiqui and Shri Santosh Kumar to Scale N-8. |

REASONS

13. The pleadings of both the parties are very exhaustive and full of repetition. The dispute between the parties relates to supersession of 10 employees while giving promotion to Shri A.R. Siddiqui and Shri Santosh Kumar as per settlement dated 7-7-89 to Scale N-8. Though names of 10 employees are shown in the schedule, except Shri Gomti Prasad Garg other employees are not present in the proceeding. Remaining employees have not filed statement of claim neither laid evidence whether they are superseded while promoting Shri A.R. Siddiqui and Shri Santosh Kumar. Though statement of claim finds reference of workman Mohan Singh and 9 others through Gomti Prasad Garg, the reference is not filed by the Union. Shri Gomti Prasad Garg has not participated as Office bearer of Union. He has submitted statement of claim in individual capacity. The evidence is also filed on individual. The admitted documents are Exhibit W-1 order of promotion of Shri A.R. Siddiqui as Asstt. in Pay Scale 720-1273 as per order dated 5-8-89. Exhibit W-2 order of promotion of Shri Santosh Kumar to the post of Asstt. along with other dated 15-8-89. There is no dispute about those orders. Exhibit W-3 is seniority list of UDC as on January 1987. The name of Shri Gomti Prasad Garg is appearing at Sl.No.16. Name of Shri A.R. Siddiqui and Shri Santosh are not appearing in the said seniority list. Document Exhibit W-4 is copy of the order dated 29-12-92 Gomti Prasad Garg was promoted as Junior Asstt. Grade I in 1992. Document Exhibit W-5 is copy of settlement dated 7-7-89 Clause E(1) provides workman covered at A & B above who are minimum graduates and have completed 15 years of service in the scale of N-3 and N-4 (combined), subject to minimum 3 years service in N-4 Scale or 7 years service in N-4 as on date of this settlement shall be promoted to the scale of N-8. Exhibit W-6 is copy of order dated 25-11-94 promoting 11 employees to Junior Asstt Grade-I. By said order Shri A.R. Siddiqui was promoted as Sr. Asstt. Grade II. Exhibit W-8 is copy of proceeding before ALC with respect to demands of the Union. The documents produced at Exhibit W-9, 10, 11, 12, 13, 14 donot relate to grievance of supersession of workman. Ist party workman in his affidavit of evidence has stated in details that he was performing work of LDC w.e.f 1971 after implementation of settlement dated 30-10-71. The post of time keeper was re-designated as LDC. That he was designated as LDC till 1977. That he was promoted as UDC on 14-8-86. The channel of promotion existing till 1989 was LDC, UDC, Asstt. Section Officer. His further evidence is devoted about the seniority list displayed. He was Senior to Shri A.R. Siddiqui and Shri Santosh Kumar. He was superseded and both of them were promoted as Asstt. in Scale N-8 and further promotions. In cross-examination, Ist party workman Gomti Prasad Garg submits that Union had taken his grievance but management did nothing. That he was member of the Panna Rashtriya Heera Khadan Sangh. That SKMS Union

is not affiliated to any Union. He denies that on 1-1-91, there was settlement on the point of seniority. He has stated that he should be placed in Seniority list above Shri A.R. Siddiqui and Shri Santosh Kumar. That he was appointed on 19-5-67 as time keeper. Shri Siddiqui was appointed in 1968 as male mazdoor, Santosh Kumar was transferred from other project in 1969. He claims ignorance on which ipost he was appointed. That only after order dated 5-8-99 and 15-8-89, he had come to know that Shri A.R. Siddiqui and Shri Santosh Kumar were shown senior to him.

14. The affidavit of evidence filed by management's witness Pradeep Saxena stated facts consistent with his contentions in WS filed by IInd party management. It is stated by him that Ist party workman Shri Gomti Prasad Garg and other employees have not completed 15 years service in N-3 & N-4 Scale. Therefore they did not fulfill the eligibility for promotional post to No-8 scale. Shri A.R. Siddiqui and Shri Santosh Kumar had fulfilled the criteria of eligibility. In his cross-examination management's witness states that he has seen all promotional rules and settlements. That settlement dated 31-10-71 was dealing with matter of promotion. That settlement was not applicable to daily employees. That prior to 6-7-89, promotional rules were different. From 7-7-89, promotional rules changed. In para-36 of his evidence, he says that from 19-5-67, the daily wage employees were confirmed. He admits that in 1967, the workman was daily rated time keeper. The workman was appointed as daily rated on 23-10-67, Shri Santosh Kumar was working as LDC from 18-12-67. That entries are taken in service book of promoting employees. The service book of Shri A.R. Siddiqui, Shri Santosh Kumar and Shri Gomti Prasad Garg are not produced. Their service books may be in the department. He denied the suggestions that service book are not deliberately produced. In para-39 of his evidence, management's witness admits as per Tripartite Settlement dated 31-10-71, time keeper is designated as LDC. His above evidence is accepted. Ist party workman working as time keeper was entitled to be designated as LDC in the year 1971. However he was designated as time keeper in 1977. He was promoted as UDC in 1986. Shri A.R. Siddiqui was promoted as UDC subsequently it is clear from evidence that workman Shri Gomti Prasad Garg was senior to Shri A.R. Siddiqui and Shri Santosh Kumar as per seniority list while giving promotion to Shri A.R. Siddiqui and Shri Santosh Kumar, the management did not consider that Shri Gomti Prasad was working as time keeper since 1967. As per settlement of 1971, he should have been designated as LDC. No reason is explained by the management why he was designated as LDC in the year 1977. The seniority of Shri Gomti Prasad Garg is not properly considered by the management of IInd party. He is illegally superseded while giving promotion to Shri A.R. Siddiqui and Shri Santosh Kumar. The said action of the IInd party management is illegal. Accordingly I record my finding on Point No. 1.

15. Point No. 2- In view of my finding in Point No.1, as Ist party workman Shri Gomti Prasad Garg is illegally suspended by giving promotion to Shri A.R. Siddiqui and Shri Santosh Kumar, his seniority was not properly considered. He has been designated therefore he is entitled to promotion to Asstt. Scale N-8 from the date the junior employees to whom were promoted. Accordingly I record my finding on Point No. 2.

16. In the result, award is passed as under:—

- (1) The action of the IInd party management in promoting Shri A.R. Siddiqui and Shri Santosh Kumar as per settlement dated 7-7-89 and superseding Ist party workman Shri Gomti Prasad Garg is illegal.
- (2) IInd party is directed to give benefit of promotion to the post of Scale N-8 Ist party workman Shri Gomti Prasad Garg from the date 5-8-89 when Shri A.R. Siddiqui was promoted. Ist party workman Shri Gomti Prasad Garg also be given further promotion considering his further promotion to N-8 scale from 5-8-89.

17. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R. B. PATLE, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2505.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बैलाडीला आयरन ओर माइन्स प्रोजेक्ट किरनडूल मध्य प्रदेश के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 157/96) को प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-26012/15/95-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2505.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 157/96) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Bailadila Iron Ore Project, Kirandul (MP) and their workman, which was received by the Central Government on 18/10/2013.

[No. L-26012/15/95-IR(M)]

JOHAN TOPNO, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****No. CGIT/LC/R/157/96**

Presiding Officer: SHRI R.B. PATLE

The Secretary,
Bastar Khadan Mazdoor Sangh,
Bailadila Iron Ore Project,
Post Kirandul,
Distt. Bastar (MP)

....Union/Workman

Versus

Sr. Regional Manager,
Bailadila Iron Ore Project,
Deposit-14, Kirandul (MP)

....Management

AWARD

Passed on this 25th day of April 2013

1. As per letter dated 12-8-96 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No. L-26012/15/95-IR(Vividh). The dispute under reference relates to:

"Whether the order of management of NMDC Ltd., BIOP Deposit-14 Kirandul in removing the workman Shri Anura Kumar Sahu from service is justified and legal? If not to what relief he is entitled?"

2. After receiving reference, notice issued to the parties. Ist party workman submitted statement of claim at page 3/1 to 3/7. The case of Ist party workman is that he was not given opportunity to defend. He was not supplied with copy of preliminary enquiry, he was not permitted to engage legal practitioner. He was denied copies of documents relevant for his defence. Chargesheet was not issued by competent person. Chargesheet was not as per the provisions of standing orders. The enquiry is vitiated. Enquiry was arbitrary. The Enquiry Officer was highly prejudiced against him. He had submitted objection to appointment of Enquiry Officer. The enquiry is vitiated.

3. He further submits that he was appointed as Khalasi as per order dated 2-12-89 and 11-1-90. That since his entry in employment, the management resorted to harassing him for his bonafide union activities and baseless chargesheet was issued to him on 31-7-93. The charge against him was to secure appointment by false documents. That it cannot be a misconduct. The verification of such antecedents is a managerial function. That he had not fabricated any documents the charge is vague. It is malafied without any foundation. That it is a fundamental and cardinal principal of justice that it should not only be don't but appears as being done. That the said principle was not followed in the enquiry conducted against him. His representations and protest

letters were not considered. He submits that he is removed from service, it disqualified future employment, the order and enquiry report dated 29-9-94 are illegal, void and unauthorized. There is no punishment provided in the certified standing orders. Removal from service, disqualifying future employment, the punishment is shockingly disproportionate to the alleged misconduct. He prays for reinstatement with back wages.

4. IInd party management submitted written statement at page 44/1 to 44/13. IInd party management has contended that names were called from Employment Exchange as per letter dated 29-6-87. Names of 131 candidates were received for post of Khalasi, the name at Sl. No. 71 of the list was of Anurag Kumar Sahu, Physically Handicapped person, date of birth is 15-5-1955, qualification is IX passed. It is submitted that Anurag Kumar Sahu was brother of Ist party, he had appeared in interview, produced experience certificate of his work with the employees cooperative stores, Bacheli. On its basis, after interview the said candidate was selected. Bogus documents were submitted in misusing the name Anura for Anurag and the Ist party joined service as Anura Kumar Sahu. After said fact came to notice, chargesheet were issued as per standing order clause 29(2)(XXV), the description of charges are reproduced. The IInd party submits that enquiry was conducted properly giving opportunity to defend charges. The witnesses were examined. The charges are proved from evidence in enquiry proceeding. The material contentions of Ist party workman that he was denied proper opportunity in the enquiry proceeding are denied. It is submitted that enquiry is fair and proper and conducted following principles of natural justice. The misconduct of Ist party workman is proved from evidence and as per the report submitted by Enquiry Officer. Punishment of removal from service is just and proper. IInd party prays for rejection of relief prayed by the Ist party workman.

5. Considering the pleadings between the parties, my learned predecessor had decided the preliminary issue—Whether the Departmental Enquiry conducted by management against workman is legal and proper? It is held that the departmental enquiry is legal and proper.

6. Workman was proceeded exparte on 28-12-06, in view of finding on preliminary issue, other issues needs to be decided. Other issues which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|----------------------------------------------------------------------------------------|----------------|
| (i) Whether the charges/misconduct against Ist party workman is proved by evidence? | In Affirmative |
| (ii) Whether the punishment of removal from service imposed against workman is proper? | In Affirmative |
| (iii) If so, to what relief the workman is entitled? | In Negative |

REASONS

7. Preliminary issue is held against Ist party workman that the enquiry is held proper. The record of Enquiry proceedings is produced by management. Workman has not participated in the proceedings. He is proceeded ex parte as not appeared. The evidence of management's witness Ramaraju working as Junior Officer (Personnel) is recorded at Page 105, 106. He was cross-examined by the co-worker. His evidence clearly shows that Ist party workman was working under the name Anura Kumar Sahu where as he has produced certificate in the name of Anurag Kumar Sahu. His evidence on the point is not certain. The evidence of other witness K. Ramaraju is on the point that Anura Kumar Sahu is brother of Anurag Kumar Sahu. He claims ignorance about the relationship. 3 witnesses were produced before the Enquiry Officer alongwith documents. Ist party workman has secured employment. He is producing certificate in the name of Anuag Kumar Sahu where as his brother Anura Kumar Sahu is working. There is sufficient evidence to support charges It is not required to discuss evidence in detail. For above reasons, I record my finding on Issue No. 1, in Affirmative.

8. Issue No. 2—Ist party workman has secured employment obtaining bogus document which were issued in the name of his brother Anurag Kumar Sahu. It is serious misconduct and therefore the punishment of removal from service cannot be said shockingly disproportionate. No interference is called for in the order of punishment. For above reasons, I record my findings in Point No. 2 in Affirmative and Point No. 3 Ist party workman is not entitled to relief prayed by him.

9. In the result, award is passed as under:—

- (1) Action of the IInd party management is removing Ist party workman Shri Anura Kumar Sahu from service is legal.
- (2) Reliefs prayed by Ist party workman is rejected.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R.B. PATLE, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2506.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स कामर्शियल ट्रांसपोर्ट का जिला दुर्ग मध्य प्रदेश के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 222/89) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-26012/7/89-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2506.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 222/89) of the Central Government Industrial Tribunals/Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. Commercial Transport Co., Distt. Durg (MP) and their workman, which was received by the Central Government on 18/10/2013.

[No.L-26012/7/89-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR****NO. CGIT/LC/R/222/89**

Presiding Officer: Shri R.B. Patle

Shri Bajrang,

S/o Shri Sarju,

C/o Prasad and Co. (Project Works) Pvt. Ltd.,

Post Dallirajhara,

Distt. Durg (MP)

.....Workman

Versus

M/s Commercial Transport Co.,

Contractor, Post Dallirajhara,

Distt. Durg (MP)

.....Management

AWARD

Passed on this 8th day of April, 2013

1. As per letter dated 26-10-89 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act. 1947 as per Notification No.L-26012/7/89-IR(Misc). The dispute under reference relates to:

"Whether the action of the Bhilai Steel Plant in relation to their Dalli Mines in removing the name of Shri Bajrang, S/o Sarjoo, P.No. 879941 Truck loader of M/s Commercial Transport Co. from B form Register and stopping his entry into the Dalli Mines under their letter No. SOMQ (Dalli)/M.E./87/685 dated 23/24-12-1987 is justified. If not, to what relief the workman is entitled?"

And

"Whether the action of the management of M/s Commercial Transport Co., Transport Contractor, Dalli Mines in terminating the services of Shri Bajrang S/o Sarjoo, Truck Loader P.No. 879941 w.e.f. 24-12-87 is legal and justified. If not, to what relief the workman is entitled?"

2. After receipt of reference, notices were issued to the parties. Ist party workman filed Statement of claim at Page 5/1 to 5/3. The case of the Ist party workman is that the mine run by IInd party engages the person for doing the job of Truck Loader. The jobs are allotted to the First party by contractor for relevant time. It is like a departmental job. Ist party and some other persons were employed by M/S Commercial Transport Company engaged as contractor for receiving mine materials on behalf of Managing Director. Bhilai Steel Plant and the Mines Manager is one of the respectative of the Bhilai Steel Plant. That Ist party workman was given Personal No. 879941. Provident Funds were deposited by Bhilai Steel Plant, Gate Pass was issued bearing No. 1167 "B" of Form No. 395/TD/51. It is submitted that contractors were changed from time to time, the workers remained in employment with Principal Employers of Bhilai Steel Plant. That the name of Ist party was illegally removed on 23-12-87 by Mine Manager, Bhilai Steel Plant. As per letter dated 18-1-89, Ist party workman was directed for examination of eyes with Eye Specialist. He was found fit for the job of Truck Loader.

3. That Ist party workman was doing work of Truck Loader since 1975. He was never chargesheeted or warned by the Management. *Vide* order dated 23-12-87 name of Ist party was removed from Form B on the ground of medically unfit. It is further contended that his name was illegally removed from Form B. The Medical Board was held on 7-12-87 at Main Hospital, Bhilai. The workman was not declared medically unfit. The termination of Ist party amounts to retrenchment in violation of Section 25-F of I.D. Act. Ist party workman got himself examined from the Competent Officer and tried to submit certificate on 7-2-89. The said certificate was not accepted by IInd party on the ground that Medical Board of Bhilai Steel Plant declared him medically unfit. That Ist party workman has never been disclosed that how and what was the reason for declaring medically unfit. The action of the IInd party in removing his name from Form B is illegal. It amounts to illegal retrenchment. Ist party prays for his reinstatement with consequential benefits.

4. IInd party filed Written Statement at page 7/1 to 7/4. It is not disputed that M/s. Commercial Transport Company was awarded the contract of transportation of Iron Ore. All other contentions of workman are denied that workman was employed by contractor and not by the IInd party. The work of loading of Iron Ore was to be executed in the Mine and therefore the truck loaders are required to enter into the Mine premises. Under Mines Act and the Rules framed thereunder, every person entering into the mines has to record his attendance in the Attendance Register and has to be allotted a number in the Form B Register. Ist party workman was also allotted number in Form B Register. Under provisions of Employees Provident Fund and Miscellaneous Provisions Act of 1954 the employer has to pay a share towards the Provident Fund.

That M/S Commercial Transport Company being employer had been paying contribution of employee in respect of workman. The management of Bhilai Steel Plant has no right to terminate his services as his employer was Commercial Transport Company. The Medical Board found workman unfit for job of truck loader. Therefore he could not be allowed to work in the mine. The Mines Manager as per letter 24-12-87 informed M/S Commercial Transport Company about the same. IInd party had denied all other contentions of Ist party contending that the Medical Board found workman unfit for job of Truck Loader therefore he could not be allowed to enter the mine. Workman is not entitled to any relief prayed by him.

5. IInd party Contractor submitted Written Statement at page 68/1/ to 68/3. It has contended that the management of Bhilai Steel Plant informed it that Medical Board found Ist party workman unfit. It has denied that workman was illegally terminated. That as per provisions of Mines Act and Rules, Ist party workman could not be permitted to enter mine while loading trucks. There was no illegal termination of services as alleged by workman, it is prayed for rejection of his prayer.

6. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| (i) Whether the action of the Bhilai Steel Plant in relation to their Dalli Mines in removing the name of Shri Bajranj, S/o Sarjoo, P.No. 879941 Truck Loader of M/s. Commercial Transport Co. from B form Register and stopping his entry into the Dalli Mines under their letter No. SOMQ(Dalli)M.E./87/685 dated 23/24-12-1987 is justified. If not, to what relief the workman is entitled? | In Affirmative |
| (ii) Whether the action of the management of M/s. Commercial Transport Co., Transport Contractor, Dalli Mines in terminating the services of Shri Bajranj S/o Sarjoo, Truck Loader P.No. 879941 <i>w.e.f.</i> 24-12-87 is legal and justified. If not, to what relief the workman is entitled? | In Affirmative |
| (iii) If so, to what relief the workman is entitled to?" | Relief prayed by workman is rejected. |

REASONS

7. The dispute under reference is related to removal of name of Ist party workman from Form B of Dalli Mines of

Bhilai Steel Plant. IInd party management of Bhilai Steel Plant contends that Ist party workman was found unfit by Medical Board and information about it was given to the contractors whereas workman is claiming ignorance about report of the Medical Board. The affidavit of evidence of Ist party workman is filed on 14-2-2011. He has stated that he was working as Truck Loader from 5-4-75. His CPF No. is 1863. Letter dated 23-12-87 received from management that he was declared unfit. Consequently his services were terminated without assigning reasons. Notice was not issued to him. He was working for 15 years. He further states that he was examined in Govt. Hospital at Durg. On 18-1-89, he was found fit for Truck Loader. His certificate was not accepted by management on the ground that he was declared unfit by Medical Board. In his cross-examination workman says that he was of 55 years of age. He claims ignorance about his age shown as 60 years in the affidavit. Management filed affidavit of its witness Mahadeo, Assistant Manager, Bhilai Steel Plant. He has stated that Ist party workman was sent for periodical medical examination *vide* letter dated 13-5-87. He was examined on 9-6-87 by Sr. Medical Officer (Mines), Workman was referred to Medical Board on 21-6-87. The Medical Board met on 16-11-87 with remark "Advised to report to next Medical Board on 7-12-87" He has stated that workman was found unfit by Medical Board. Information about unfit was given to M/Ss. Commercial Transport *vide* letter 24-12-87. As workman was declared medically unfit on 10-12-87 name of workman was removed from Form B with intimation to the contractor.

8. From his evidence, in re-examination, the documents Exhibit M-1, M-5 and M-6 are proved. In his cross-examination, management's witness says under Section 29 of Mines Act, management is authorized to arrange medical examination. Clause a to c of Exhibit M-2 are blank. Thumb impression on Exhibit M-2 does not bear name of person putting it. In document Exhibit M-4 name of the father of workman is not written. It is admitted that at the time of Medical Examination, he was not present. Exhibit M-1 does not bear office seal of Manager. Exhibit M-2 is not bearing authority and office seal. On both sides of Exhibit M-4 noted for Bajrang is not bearing the endorsement about fitness. That document about examination of workman by Medical Board on 7-12-87 is not produced.

9. Careful perusal of document M-2 shows name of workman Shri Bajrang, his photo is appearing. There is endorsement on reverse page that the visual acuity-Distant Vision (With or without glasses) is 6/60 of both right and left eye. It also finds endorsement of Doctor-"Unfit for job" dated 20-6-87. Document Exhibit M-3 shows that workman Bajrang was referred to Eye Specialist for opinion of fitness for job. It bears endorsement-vision Right eye-6/60 and Left eye 6/60 and referred to Dr. A.B. Deshpandey. On reverse side, there are notes about examination of the

patient. In Exhibit M-4, workman was advised to report to next Medical Board on 7-12-87. Document M-5 shows that Medical Board met on 7-12-87. Name of workman appearing at Sl. No. 6 was found unfit. The said letter is dated 10-12-87. Document Exhibit M-6 letter sent by Bhilai Mines Manager to M/S Commercial Transport Company of removal of name from Form B of unfit workers. Ist party workman Bajrang was advised to surrender his ID Card.

10. The medical standard of fitness for persons employed are shown in Form P clause IV eye Vision should not be less than the following standard: (1) Better eye 6/12 & (2) Worse eye 6/18. The Examination of Ist party workman by Medical Board shown his vision was 6/60.

11. Rules 29(M) of Mines Act 1952 prohibits unfit persons from employment. As Ist party workman was found unfit by Medical Board, the action of IInd party cannot be said illegal. The employment of unfit persons is prohibited under Rule 29(m). There is no termination of services of Ist party workman either by contractor or the management of Bhilai Steel Plant.

12. Ist party workman has produced document with list page 12 Original attendance sheet from 1975 to 76, copy of PF Contribution, I. Card, Medical Fitness letter, Certificate issued by respective medical officer, District Hospital, Durg (MP). Learned counsel for management Shri Shashi submits that Ist party workman is declared as unfit by Medical Board. Certificate issued by the respective Medical Officer of District Hospital is not admissible. Rule 29(j) under Mines Act 1952 provides for appeal for re-examination and Appellate Medical Board is required to re-examine the employees and decide the fitness. It is clear that certificate issued by Medical Officer in District Hospital cannot be accepted. For above reasons, I record my finding on Point No. 1 and 2 in Affirmative.

13. Point No. 3-Workman is not entitled to relief prayed by him.

14. In the result, following award is passed:—

- (1) The action of the management Bhilai Steel Plant in removing name of workman from Form B register is legal.
- (2) IInd party contractor M/s. Commercial Transport Company was justified in not allowing workman for working as Truck Loader is justified.
- (3) Workman is not entitled to any relief prayed by him. The claim of Ist party workman is rejected.

15. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

R.B. PATLE, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2507.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इन्द्रप्रस्था गैस लि०, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं० 2, दिल्ली के पंचाट (संदर्भ संख्या 23/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-30011/2/2010-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2507.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 23/2010) of the Central Government Industrial Tribunal/Labour Court-II, Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Indraprastha Gas Ltd., New Delhi and their workman, which was received by the Central Government on 18/10/2013.

[No. L-30011/2/2010-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT-II, DELHI

PRESENT : SHRI HARBANSH KUMAR SAXENA,
Presiding Officer

ID No. 23/2010

The General Secretary,
Vyopar Tatha Udyog Karamchari Sangh,
118, Kishanganj Market, Old Rohtak Road,
New Delhi-110007

Versus

M/s Indraprastha Gas Ltd.
IGL Bhawan, Flat No. 04,
Community Centre, Sector 9,
R.K. Puram
New Delhi

AWARD

The Central Government in the Ministry of Labour *vide* notification No. L-30011/2/2010-IR(M) dated 08/06/2010. referred the following Industrial Dispute to this tribunal for the adjudication:—

"Whether the action of the management of Indraprastha Gas Ltd. in terminating the services of their 25 workmen as per list enclosed *w.e.f.* 16.1.2009 (*w.e.f.* 18.1.2009 in respect of the names mentioned at Sl. Nos. 18, 19 and 20 of the list) is legal and justified? What relief the workmen concerned are entitled to and from which date?"

On 19/07/2010 reference was received in this tribunal. Which was register as I.D. No. 23/2010 and claimant was called upon to file claim statement with in fifteen days from date of service of notice. Which was required to be accompanied with relevant documents and list of witnesses.

After service workman not appeared to file the statement of claim on 24/9/2010. He remained absent upto 17/06/2013. So fresh notice to claimant workman was issued through registered post fixing 02/08/2013. According to record a notice was served on workmen/claimant on 20/06/2013. Even then they didn't file the claim statement. Which indicates that they are not interested in further proceeding of the case. Although time limit for adjudication of award is three months.

In this Background it is a fit case to pass no dispute award which is accordingly passed.

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2508.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स लार्सन एण्ड ट्यूब्रो को लि० चन्द्रपुर, महाराष्ट्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 24/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-29011/53/99-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2508.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 24/2000) of the Central Government Industrial Tribunal/Labour Court Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Larsen & Toubro Ltd., Chandrapur (MS) and their workman, which was received by the Central Government on 18/10/2013.

[No. L-29011/53/99-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/24/2000

Date: 07.05.2013.

Party No. 1 : Vice President,
Larsen & Toubro Ltd.,
Now-Ultratech Cement, Awarpur Cement
Works, Post-Awarpur, Tah, Kopana,
Chandrapur (MS)

Versus

Party No. 2 : The General Secretary,
Larsen & Toubro Ltd. Cement Kamgar
Sangh, Post: Awarpur, Tah: Kopana,
Chandrapur (MS).

AWARD

(Dated: 7th May, 2013)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of L&T Ltd. now Ultratech Cement, and their union, "Larsen & Toubro Ltd. Cement Kamgar Sangh", for adjudication, as per letter No.L-29011/53/99-IR (M) dated 02.02.2000, with the following schedule:—

"Whether the action of the management of Larsen & Toubro Ltd. in not paying increase of Rs. 890 as per 2nd national settlement, by and for the cement workers, is legal & justified? If not, to what relief the workmen are entitled and from which date? What other directions are necessary in the matter?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the union, "Larsen & Toubro Ltd. Cement Kamgar Sangh" ("the union" in short), filed the statement of claim and the management of Larsen & Toubro/Ultratech Cement Ltd., ("Party No. 1" in short) filed its written statement.

The case of the union as projected in the statement of claim is that it (the union) is a registered trade union and the National Level Workers Federation of cement employees, known as "Indian National Cement Workers Federation, Mumbai entered into an agreement with the Cement Manufacturers Association, in respect of revision of wages, before the Commissioner of Labour at New Delhi on 12.07.1996 and the said settlement was made effective from 01.04.1996. and as per the said settlement, the association of management agreed to increase the house rent allowance at the rate of Rs. 75 per month and total pay packet of wages at the rate of Rs. 890 per month and no condition was laid down in the said settlement to deduct house rent of Rs. 75 per month, from the employees, whom accommodation was provided by the respective management, but the party No. 1 started deducting of Rs. 75, the amount of HRA from the monthly wages of the employees *w.e.f.* 01.04.1996 and it (union) raised objection and requested the party no. 1 not to deduct the amount of HRA of Rs. 75 and after several discussions, during the meeting dated 09.04.1999, party No. 1 agreed to refer the dispute to the Conciliation Officer-cum-Asstt. Labour Commissioner (Central), Chandrapur and accordingly the

matter was referred to the ALC (C), Chandrapur, but on failure of the conciliation, failure report was submitted by the ALC to the Central Government and the Central Government referred the dispute to the Tribunal for adjudication. It is further pleaded by the union that the deduction of the HRA by the party No.1 was contrary to the terms of settlement and the employees are entitled for the full wages of Rs. 890 per month, as per the said settlement and the action of party No. 1 is totally illegal and unjustified and the same is liable to be quashed and set aside. It is also pleaded by the union that other managements of the Cement Industry paid the full wages as per agreement dated 12.07.1996, without effecting any deduction of HRA of Rs. 75 from their employees, even though they had provided quarters to their employees.

The union has prayed to declare the action of party no.1 as illegal and unjustified and to direct the party No. 1 to pay the increased amount of wages of Rs. 890 *w.e.f.* 01.04.1996 with interest of 18%, without deduction of HRA of Rs. 75 per month.

3. The party No. 1 in their written statement have pleaded *inter-alia* that the employees, whose names have been enlisted in the schedule to the statement of claim are provided with residential accommodation in the well maintained colony situated in the vicinity of their establishment and as such, the claim staked-up by the union for payment of house rent allowance to the said employees cannot be acceded to, as the claim is untenable and the claim made by the union is misconceived and the same is founded on erroneous interpretation of the settlement and the claim for house rent allowance and the total pay packet as claimed does not tally with the terms and conditions regulating the subject in the settlement and the union has wrongly claimed house rent allowance and the total pay packet and they implemented the mandate of the settlement with regard to payment of house rent allowance to all workers, who are not provided with residential accommodation effective from 01.04.1996 and the very concept of payment of house rent allowance emerge only in the cases of employees, who are not provided with residential accommodation, which is in the nature of a subsidy to compensate to certain extend the liability of rental for acquiring residential accommodations from the open market and they did not commit of any wrong in absorbing Rs. 75 per month provided as house rent allowance from the employees, who were provided with accommodation, while implementing the settlement and the demand made by the union is unjust and opposed to the spirit of the settlement. The party No. 1 have further pleaded that the reference is totally vague and the Central Government has enlarged the scope of the dispute under misconception and non-application of mind into the details of the case, as because, out of the total increase of Rs. 890 per month, as stipulated in the settlement, one of the items was in regard to payment of enhanced house rent allowance

at the rate of Rs. 75 per month, payable from 01.04.1996 and house rent allowance was not admissible to the workers, who were provided with residential accommodation and the only dispute raised by the union before the conciliation officer was in regard to payment of house rent allowance of Rs. 75 per month also to the employees, who had been provided with residential accommodation, but the schedule to the order of reference is something entirely different than the dispute agitated by the union and from the schedule of reference, it appears that as if, none of the workers employed in their establishment have been paid the amount of Rs. 890 per month in compliance of the settlement and the demand made by the union for payment of house rent allowance to those workers provided with residential accommodation is unjust and opposed to the spirit of the settlement and their refusal to concede the demand for payment of house rent allowance to the employees who are provided with residential accommodation is correct and perfectly legal and on a reference by them, the cement manufacturers association clarified that the agreement dated 12.07.1996 is subject to Arbitration Award of 1983 and all the existing service conditions of the agreement shall continue to remain in force till revised and unless modified by another settlement, the present practice and method of recovery of house rent allowance prevailing in each cement unit will continue and the said clarification issued by the cement manufacturers association at the instance of the workers federation put at rest the controversy in the matter and nothing remains to be adjudicated.

Party No. 1 has further pleaded that the claim of the union that other managements of the cement industries have implemented the settlement dated 12.07.1996 with appropriating the house rent allowance in respect of those workers, who are provided with residential accommodation is distorted, misleading and incorrect and the cement companies, namely, Ambuja Cement, Rajshree Cement, Dalmia Cement, Century Cement, India Cement, Shree Digvijay Cement, Andhra Cement, Zuri Cement, J.K. Cement, Mysore Cement, Maihav Cement and Jaypee Rewa Cement etc. have implemented the settlement in question with specific reference to payment of house rent allowance in similar and same manner as implemented by them and the union has failed to justify the claim with regard to the workers in the list and the claim does not stand to reason and the issue of payment of house rent allowance of Rs. 75 per month to the employees, who are provided with housing accommodation has not been made out a subject matter in the schedule of reference and as the claim made by the union is untenable, the reference is liable to be answered in the negative.

4. At this juncture, I think it necessary to mention some important facts relating to the reference, which are as follows:—

The Party No. 1 nominated one Mr. C.V. Pavaskar, a member of the Central Executive Committee of the federation to represent them before this Tribunal. The union raised objection to the appearance of Shri Pavaskar by filing an application. *Vide* order dated 30.07.2001, this Tribunal disallowed the appearance of Shri Pavaskar on the ground that he is a practicing advocate. Being aggrieved by the order dated 30.07.2001, the Party No. 1 filed writ Petition No. 3259/2002, before the Hon'ble High Court, Nagpur Bench, Nagpur for redress. The Hon'ble High Court by an interim order dated 16.12.2002, permitted Shri C.V. Pavaskar to represent the Party No. 1 before this Tribunal. The writ petition was finally disposed of by the Hon'ble High Court on 11.11.2011, upholding the interim order dated 16.12.2002. It is also necessary to mention that the further proceedings of the reference had been stayed by the Hon'ble High Court in the aforesaid writ petition and such stay was vacated due to the final disposal of the writ application on 11.11.2011.

After receipt of the order passed by the Hon'ble High Court in writ Petition No. 3259/2002 dated 11.11.2011, both the parties were noticed to appear before this Tribunal to proceed further in the reference. In response to such notice, both parties appeared on 13.04.2012. On 13.04.2012, in presence of both the parties, order was passed for the cross-examination of the witness for the petitioner (union) fixing the case to 11.05.2012. On 11.05.2012, though the management appeared none appeared on behalf of the union. On 29.08.2012, 08.10.2012, 02.11.2012, 20.12.2012, 24.01.2013, 11.03.2013, 03.04.2013 and 12.04.2013 both the parties remained absent.

The respective witnesses for the parties, whose evidence were filed on affidavit also did not appear for their cross-examination, inspite of giving of sufficient opportunity to the parties to produce their respective witness. Hence, the evidence was closed after expunging their evidence. No argument was also made by the parties. Hence, the reference was posted for award.

5. Perused the pleadings of the parties and the available documents on record. Even though, the Central Government has referred the dispute for adjudication with the schedule as to whether the action of the Party No. 1 in not paying the increase amount of Rs. 890 to the cement workers as per 2nd National settlement is legal and justified, it is found from the claim made by the union in the statement of claim that the dispute is only regarding non-payment of house rent allowance of Rs. 75 to the workers (as per list attached to the statement of claim), who have been given residential accommodation by Party No. 1. The demand of payment of house rent allowance of Rs. 75 per month to the workers, who have been allotted residential accommodation was not been included in the reference. From the above mentioned facts, it appears that the schedule of reference is not proper.

6. Perused the materials on record. It is the admitted case of the parties that the 383 workers, who had not been paid house rent allowance of Rs. 75/- per month had been allotted with residential accommodation by Party No. 1. There is no dispute that the very concept of payment of house rent allowance emerges only in the case of the employees, who have not been given residential accommodation by the employer. So, the workers, who have been provided with residential accommodation are not entitled to claim house rent allowance. Hence, the claim of the union for payment of house rent allowance to those workers is not tenable. Hence, it is ordered:—

ORDER

The action of the management of Larsen & Toubro Ltd. in not paying the entire increased amount of Rs. 890/- as per 2nd national settlement, by and for the cement workers, to the 383 workmen (as per list furnished with the statement of claim) is legal & justified. The workers are not entitled to any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 24 अक्टूबर, 2013

का०आ० 2509.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारतीय विमानपत्तन प्राधिकरण, नागपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 05/2013) प्रकाशित करती है जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल-11011/3/2013-आई आर (एम)]
जोहन तोपनो, अवर सचिव

New Delhi, the 24th October, 2013

S.O. 2509.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 05/2013) of the Central Government Industrial Tribunal/Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Airport Authority of India and their workman, which was received by the Central Government on 18/10/2013.

[No. L-11011/3/2013-IR(M)]
JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/05/2013

Date: 26.06.2013.

Party No. 1 : The Chairman, Airport Authority of India,
Rajiv Gandhi Bhawan, SAP, N. Delhi-3

- : The Regional Executive Director,
Airports Authority of India, Western
Region Porta Cabin, CSI Airport,
Mumbai-400099.
- : The Airport Director, Airport Authority of
India, Dr. Babasaheb Ambedkar
International Airport, Nagpur-440005.
- : The Chairman-Cum-Managing Director,
MIHAN India Pvt. Ltd.
India, Dr. Babasaheb Ambedkar
International Airport, Nagpur-440005.

Party No. 2 : The General Secretary, Indian Airports
Kamgar Union (INTUC), CHQ Office,
Qtr. No. B-173, Pocket-A, INA Colony,
New Delhi-110023.

AWARD

(Dated: 26th June, 2013)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the Industrial Dispute between the employers, in relation to the management of Airport Authority of India and their union, "Indian Airports Kamgar Union (INTUC)", for adjudication, as per Letter No. L-11011/3/2013-IR (M) dated 11.04.2013, with the following schedule:—

"Whether the action of the management of Airport Authority of India through its Airport Director, Airport Authority of India, Dr. Babasaheb Ambedkar International Airport, Nagpur, in transferring Shri S.M. Bodele, Supervisor (FS) and Shri N.M. Bodele, Sr. Asstt. (FS) from Nagpur Airport to Rajkot and Bhavnagar Airports respectively *vide* orders dated 21.09.2012, is legal and justified? What relief the workmen are entitled to?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement.

3. On receipt of the notices, the Managing Director, Dr. Babasaheb International Airport, Nagpur made his appearance through his advocate.

The two workmen, Shri S.M. Bodele and Shri N.M. Bodele appeared personally alongwith the Joint Secretary of the Indian Airport Kamgar Union (INTUC). The Joint General Secretary, Shri D.B. Satpute filed the authorization to represent both the workmen given by the General Secretary of the union. Instead of filing any statement of claim, the two workmen filed a pursis stating that they have filed writ petitions Nos. 750/2013 and 751/2013 before the Hon'ble High Court for redress in the matter and both

the writ petitions have been listed for admission on 28.06.2013 and though they had requested the RLC (C), Nagpur not to send the dispute to the Tribunal, the reference had been made for adjudication, but they do not want to proceed with the reference. The Joint General Secretary also filed another pursis mentioning the same thing. Copies of both the pursis were served on the advocate for the management.

4. As the workmen and so also the union do not want to proceed with the reference, the reference is liable to be dismissed without granting of any relief to the workmen. Hence, it is ordered:—

ORDER

The reference is dismissed as not pressed by both the workmen and the union, without grant of any relief to the workmen.

J.P. CHAND, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2510.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 283 का 1999) को प्रकाशित करती है जो केन्द्रीय सरकार को 25/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/123/1999-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 25th October, 2013

S.O. 2510.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 283/1999 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s BCCL and their workmen, received by the Central Government on 25/10/2013.

[No. L-20012/123/1999-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 283 OF 1999.

PARTIES : The Vice President,
Rastriya Colliery Mazdoor Sangh,
Rajender Path, Dhanbad

Vs. General Manager, Sijua Area of
M/s. BCCL, Dhanbad

APPEARANCES :

On behalf of the : Mr. N.G. Arun, Rep.
workman/Union of the workman

On behalf of the : Mr. D.K. Vermal, Ld.
Management Advocate

State : JHARKHAND

Industry : Coal

Dated, Dhanbad, the 30th August, 2013.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/123/99-IR(C-I) dt. 16.7.1999.

SCHEDULE

"Whether the action of the management of Nichitpur Colliery of Sijua Area of M/s B.C.C.L. in dismissing the service of Shri Jhari Das *w.e.f.* 25.4.1997 is proper, legal and justified? If not, what reliefs the workman is entitled to?"

2. The case of the Rastriya Colliery Mazdoor Sangh for workman Jhari Das as stated in the written statement is that as M/Loader, he had been unblemishedly working at Nichitpur Colliery, so in course of it, he had been suffering from hazardous kind of disease from his underground job. He suddenly fell ill at his native village when he had gone to see his ailing mother. It was informed to the management by his colleagues and other some about his sickness since then. But after conducting an enquiry the workman was dismissed from the service contrary to the rule of the natural justice, as he was neither informed of the chargesheet nor allowed full chance for his defence. The management violates the golden rule of *audi alterem partem*. His termination from service on the basis of the perverse enquiry is against the law of the Land and Articles of 14 to 19 of the Indian Constitution. Punishment should be commensurate to the gravity of the misconduct is the established law. Despite acceptance of the management for hearing grievance of the workman, seeing no alternative, the industrial dispute was raised, but its failure resulted in the reference for an adjudication. Thus, it has been alleged for re-instatement of the workman with all back wages and fringe benefit with retrospective effect, setting aside his unjustified dismissal.

3. The Union in its rejoinder with specific denials to the allegations of the O.P./Management has stated that the

consent of the General Manager of Sijua Area to the dismissal of the workman after going through the enquiry report has deprived him of his right to file mercy petition as per the Standing Order. The workman might have been irregular, but not habitual, for the same common nature of disease as all other miners used to get in course of employment in the underground. Prior to issuance of the chargesheet in question, no preliminary enquiry was conducted after show cause. His dismissal only for absenteeism *w.e.f.* 11.7.1994 does not find any place in the law of the Land. Though the workman had explained before the every forum about reason of his absenteeism, yet unconsidered. His dismissal order was not issued by the competent authority. He was not furnished with copies of all statements recorded during the preliminary enquiry nor any record and relevant documents. The attitude of the management appears to be vindictive for the malafide and whimsically proceeding of the Enquiry Officer and the Disciplinary Authority. The alleged domestic enquiry seems empty formality. Moreover, the Disciplinary Authority violated the principle of reasonable opportunity by issuing the second show cause, and an opportunity for proposed punishment.

4. Whereas the O.P./Management's case as pleaded in its written statement is that the present reference is unmaintainable both in law and facts of the case. Workman Jhari Das was employed as a Miner/Loader at Nichtpur colliery. He had also absented from his duty from 25.6.1993 to 17.10.1993, and again, from 27.9.95 without leave for which he was warned, thereafter he again unauthorizedly absented from 19.10.96, for which he was issued the chargesheet dt. 31.1.1997 under 26.1.1. of the Standing Orders of the Colliery applicable to the workman. As the reply of the workman was found not satisfactory, the domestic enquiry was held against him by the Enquiry Officer concerned according to the Rules of Natural Justice in which the workman fully participated the Enquiry Officer found the charges fully proved against the workman, and submitted his enquiry report to the Project Officer, Nichtpur Colliery, who after perusal of it recommended to the General Manager for his dismissal. The General Manager also had gone through the enquiry report and approved the dismissal order dt. 28.3.1997. The workman was accordingly dismissed from the service by the Manager/Project Officer of the colliery as per order dt. 25.4.1997. The present reference is the outcome of the Industrial Dispute. Further it is alleged that the dismissal of the workman from his service was quite right for his habitual absenteeism. Any punishment other than dismissal would have encouraged other workmen of the Mines to indulge in such unauthorized absenteeism causing loss of the coal production, and increasing indiscipline among the other workers. If the domestic enquiry held unfair and improper, the management sought for an opportunity to prove the charges levelled against the workman in this case.

FINDING WITH REASONS

5. In the instant reference on declaring the domestic enquiry fair and proper as per order No. 24 dt. 10.05.2006 of the tribunal, the case came up directly for hearing, the final argument on merits.

6. Mr. N.G. Arun, the Ld. Advocate for the Union/workman submitted that stopping the workman from working is illegal, and the Notesheet (Ext. M-5) does not transpire his dismissal, so there is no order of dismissal, and moreover, his dismissal is too harsh for his absenteeism. Whereas Mr. D.K. Verma, the Ld. Advocate for the O.P./Management has to contend that the workman had been a habitual absentee; his punishment of dismissal for his voluntarily absenteeism was quite proportionate to his frequent misconduct of absenteeism.

7. On the consideration of the materials on the case record, I find that the workman Jhari Das, the M/Loader accepted the charge of his unauthorized absenteeism from 10.10.1996 as per his statement (Ext. M.3/1), and he was earlier twice warned for his such misconduct for his unauthorized absenteeism from duty 25.6.1993 to 17.10.1993 and 2.7.95 to 28.10.1995 as evident from the present chargesheet dt. 31.1.1997 (Ext. M.2), so undoubtedly he appears to be a habitual unauthorized absentee; accordingly he was dismissed by the competent authority from service with immediate effect from 29.03.1997. Under these circumstances, the punishment to the dismissal to the workman seems though reasonable for his regular such misconduct lastly having lost his lien in the service of the Company, but in view of the permanent status as M/Loader, sudden termination of his service without following the provision of the Sec. 25 F of the Industrial Dispute Act, 1947 appears to be quite unfair and illegal.

In result, it is, in the terms of the reference, hereby.

ORDERED

The Award is and the same be passed that termination of Shri Jhari Das's service by the Management of Nichtpur Colliery of Sijua Area, BCCL is neither just nor proper nor legal. The workman in the case shall be entitled to compensation equivalent to fifteen days average pay for every completed year of his continuous service or any part thereof in excess of six months, if not superannuated, otherwise he would be entitled to re-instatement without back wages.

KISHORI RAM, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2013

कांआ 2511.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई आई सी एम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम

न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 279 का 1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25/10/2013 को प्राप्त हुआ था

[सं० एल-20012/87/1998-आईआर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 25th October, 2013

S.O. 2511.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 279/1999 of the Cent. Govt. Indus. Tribunal-cum-labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of M/s IICM and their workmen, received by the Central Government on 25/10/2013.

[No. L-20012/87/1998-IR (C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 279 OF 1999

Parties : The Secretary, Jharkhand Colliery Mazdoor Union, II, CM, Ranchi Vs Indian Institute of Coal Management, Ranchi.

Appearances :

On behalf of the : None
workman

On behalf of the : Mr. R.N. Ganguly, Ld.
Management Advocate

State : JHARKHAND

Industry : Coal

Dated, Dhanbad, the 27th May, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/87/98-IR(C-I) dt. 9.7.1999.

SCHEDULE

"Whether the demand of the Jharkhand Colliery Mazdoor Union that S/Shri Subhas Chandra Prasad and Sanjay Ram Karmakar are the direct workmen of the I.I.C.M. is justified and legal? If so, whether termination of services of these

employees is justified and legal? If not, what relief they are entitled to and from which date?"

2. Neither Union Representative nor any of the workmen S/Shri Subhas Chandra Prasad and Sanjay Ram appeared. But Mr. D.K. Verma Ld. Advocate for the O.P./ Management appears and files his Authority along with a petition in duplicate and the Certified Copy of the Order No. 9 dated 03.04.2003 passed by the Hon'ble High Court, Jharkhand at Ranchi in L.P.A. No. 322/2002, Indian Institute of Coal Management Vs Union of India and two Ors. (Including the Jharkhand colliery Mazdoor union), in three sheets. Mr. Verma the Ld. Counsel for the O.P./ management submits that the Hon'ble court has been pleased to allow the appeal set aside the judgement of Ld. Single judge, and allow the Writ petition by quashing the impugned Notification, and remit the proceeding to the Central Govt. for taking a fresh decision on all aspects including its competence within a period of four months from the receipt of the copy of this order.

Persual of the case records reveals the pending of this reference waiting for the order of the Hon'ble High Court in the aforesaid L.P.A. case No. 322/2002 arising out of CWJC No. 819/2000 in respect of (Ref. Case No. 16/2000) by order No. 19 dated 04.11.2004, it is also evident from the case record that Hon'ble High Court as per order No. 5 dated 13.04.2006 in L.P.A. No. 459/2004 between the management vs. Union of India and others was pleased to set aside the present Notification dated 9th July, 1999 of the reference made by the Central Government, annulling the order dated 4th May, 2004 passed by the Ld. single Judge in CWJC No. 2541/1999(R) by observing as such:

"However, this order shall not stand in the way of appropriate government for making such reference, if any application is made by the workmen or their union."

In view of the aforesaid facts on the record, it stands clear that since the Notification dated 09.07.1999 of the reference made by the Central Government of India has been set aside, it is no longer for adjudication in the present reference. Hence the case is closed and accordingly an order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2512.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बीसीसीएल के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 224 of 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/232/2001-आईआर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 25th October, 2013

S.O. 2512.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 224/2001 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as show in the Annexure, in the Industrial dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 25/10/2013.

[No. L-20012/232/2001-IR(C-I)]
M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 224 OF 2001

Parties : The Vice President,
Rastriya Colliery Mazdoor Sangh,
Rajender Path, Dhanbad Vs General
Manager, Kusunda Area of
M/s BCCL, Kusunda, Dhanbad

Appearances :

On behalf of the : Mr. N.G. Arun, Rep. of the Workman
workman/Union

On behalf of the : Mr. U.N. Lal, Ld. Advocate
Management

State : JHARKHAND

Industry : Coal

Dated, Dhanbad, the 8th May, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/232/2001, IR(C-I) dt. 10.08.2001.

SCHEDULE

"Whether the action of the management of M/s. B.C.C.L. in not regularizing Shri Ram Surat Singh as a Loading Munshi is fair and justified? If not what relief is the concerned workman is entitled and from what date?"

2. Mr. N.G. Arun, the Union Representative does not appear nor workman Ram Surat Singh present nor any witness for the evidence of the workman has been produced despite several chances. But Mr. U.N. Lal, the Ld. Advocate for the management is present.

On persual of the case record, it is quite clear that the case has been pending for the evidence of the workman since 25.02.2005 since then despite more than ample opportunities for the evidence of the workman, not a single witness in behalf of the workman has been produced. The Union Representative of the workman by his conduct appears to be uninterested in prosecuting the case related to his regularization as Loading Munshi.

Union these circumstances, proceeding with the case for uncertainty for eight years is unwarranted. It is no longer an Industrial Dispute; hence the case is closed as no Industrial Dispute existent. Accordingly, it is passed an order.

KISHORI RAM, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2013

का०आ० 2513.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बीसीसीएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 80 का 2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/66/2004-आईआर (सी-I)]
एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 25th October, 2013

S.O. 2513.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 80/2004 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as show in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 21/10/2013.

[No. L-20012/66/2004-IR(C-I)]
M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 80 of 2004

Parties : Sri Bishwanath Bhattacharjee
(Workman)

Vs. General Manager, Sijua area of
M/s. BCCL., Dhanbad

Appearances :

On behalf of the : Mr. N.M. Kumar, Ld. Advocate
workman/Union

On behalf of the : Mr. D.K. Verma, Ld. Advocate
Management

State : JHARKHAND

Industry : Coal

Dated, Dhanbad, the 30th August, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/66/2004, IR(C-I) dt. 28.06.2004.

SCHEDULE

"Whether the action of the management of Loyabad Colliery of M/s. BCCL in dismissing Sri Bishwanath Bhattacharjee from the services of the Company w.e.f. 25.08.93 is fair and justified? If not, to what relief is the concerned workman entitled?"

2. The case of workman Bishwanath Bhattacharjee as stated in his written statement is that as a permanent employee of Loyabad Colliery under Sijua Area of M/s. BCCL, he had been working as Electric Helper since 19.12.1980, having CMPF No. A/c C/36-411. On falling sick, he was declared to be T.B. Patient, so he was advised to have rest. He informed the colliery management of his illness. His suffering from T.B. rendered him unable to perform duty, and acute financial crisis for his treatment and maintenance of family members. At his full recovery from illness at his request letter dt. 29.4.92, the management of Loyabad Colliery as per the letter dt. 15.5.1992, allowed him to resume his duty, and he worked for one year. A again at his sickness, he reported the management of it. On declaration of his fitness by the Doctor treating him, when he reported for his duty, he was informed of his dismissal from service w.e.f. 25.8.93, though he had not got any chargesheet from the management. He was dismissed on the ex-parte enquiry without giving any notice or an opportunity for his defence against the principle of natural justice. He raised the Industrial Dispute under Sec. 2A of the I.D. Act, 1947, which due to adamant attitude of the management ended in failure, lastly it resulted in the reference for an adjudication, so the dismissal of the workman by the management is illegal, unjustified, liable to be set aside. He is entitled to be re-instated with full back wages.

3. The workman in its rejoinder has categorically denied the allegations of the management and stated that the management was always informed of his illness through

many Registered Notices. The domestic enquiry was not conducted fairly and properly, rather it was perfunctory with intent to dismiss him. The punishment of dismissal for him was harsh and disproportionate against the natural justice.

4. Whereas the contra pleaded case of the O.P./Management with specific denials is that the present reference filed after 10 years unjustifiably is unmaintainable. The workman was Electric Helper in Loyabad Colliery, but he began to unauthorizedly absent from his duty w.e.f. 18.5.1990. So the chargesheet under No. 68/89 dt 20.02.91 was issued to him. He submitted his reply to it and his representation dt. 29.04.1992. On consideration of it, he was allowed by the management to resume his duty w.e.f. 15.05.1992. But the workman did not report for duty, and continued to absent from duty. Another Chargesheet bearing No. 68/294/92 dt 4.8.92 was issued by the Superintendent of Mines, Loyabad Colliery as per the Certified Standing Order of the Company to the workman on his local and permanent address by registered posts. But the workman did not submit his reply to it. Sri C.M. Singh, the Dy. Personnel Manager of the Colliery as the Enquiry Officer as appointed by the Manager issued several notices to him through Regd. Post on his local and permanent home addresses for domestic enquiry into the chargesheet. Even then the workman did not appear before the Enquiry Officer for his defence. Just to give a chance, the Enquiry Officer published the notice of enquiry in the daily news paper "AWAZ" dt. 01.07.1993, fixing the date 6.7.93 for enquiry. Finding no alternatives, the Enquiry Officer ex-parte conducted the enquiry fairly and properly and submitted his report, holding therein the workman guilty of the charges. Then he was dismissed by the management for his proved misconduct. The dismissal of the workman is legal and justified. It has been urged to decide the fairness of the domestic enquiry in a preliminary hearing, and in case decision over it as unfair, to allow the management for evidence afresh.

5. Categorically denying the allegations parawise of the workman, the O.P./Management has stated in its rejoinder that the workman was allowed to resume his duty as per Order dt. 12.5.1992, but he remained absent and did not report for duty. The Industrial Dispute after 10 years is stale. The workman absented from his duty deliberately. So the workman is not entitled to any relief.

FINDING WITH REASONS

6. In the instance reference, in course of the evidence of the management, Mr. N.M. Kumar, Ld. Adv. for the workman by filing a petition on 14.3.2012 submitted to have accepted the fairness of the domestic enquiry, so the Tribunal had no scope except to hold accordingly the domestic enquiry fair, proper and in accordance with the principle of natural justice. The present case record

transpired as per Order No. 8 dt. 22.2.2011 its restoration as per Order following its Misc. Case having been allowed, as it was awarded as no Industrial Dispute as per the Order dt. 2nd Feb. 2006 for default of the workman himself.

In result, it has directly come to the stage of final hearing the argument of both the parties on merits.

7. Mr. N.M. Kumar, Ld. Advocate for the workman has submitted that without an opportunity to the workman for his defence, he was dismissed from his service which is harsh to him and disproportionate to the nature of his misconduct. Just reversely, Mr. D.M. Verma, Ld. Adv. for the O.P./management has contended that admittedly on the application dt. 29.4.1992 of the workman based on his Medical Certificate, he was allowed to resume his duty from 15.5.1992 as per the letter No. 17/96/92 dt. 12.5.1992 but he did not resume his duty till his charge sheet dt. 4.8.1992 for his unauthorized absentism (Ext. M.2); despite Notice of Enquiry on his home and local addresses (Extt. M. 1 & M. 3 respectively), and lastly its publication in the daily "AWAZ" dt. 01.07.1993 when he did not appear in the domestic enquiry, it was held ex-parte and on the enquiry report dt. 16.8.1993 (Ext. M. 6) of the Enquiry Officer, who held him guilty of the charges of his misconduct of absentism, he was awarded punishment of dismissal (Ex. M.7) for his misconduct which was quite justified in the eye of law.

8. On perusal and consideration of the materials available on the case record after hearing the argument of both the parties, the indisputable fact is found that the workman was an old T.B. Patient, who was all along taking leave for it as per his four representations dt. 20.5.1991, 15.06.1993, 12.05.1992 and 15.12.1992 (Ext. 1 Series) but as per the three letters of the management dt. 4.4.1987, 4.7.1987 and 27.03.1990 (Ext. 2 series), the workman was earlier in 1987 and in 1990 directed to join his duty. Besides his Out Door Ticket (ODT) dt. 18.5.1988 of BCCL Hospital, Blood Exam Report dt. 30.6.1998 and Medical dt. 20.02.1995 issued by Dr. S. Mukherjee of Purulia for his treatment from 18.8.1993 to 19.02.1995 (Ext. 3 Series) appear to be quite irrelevant. But out of workman's applications, his leave application dt. 12.5.92 (Ext. W1/2) coincides with the same date of the Management's letter No. 17/90/92 whereby the workman was directed to resume his duty from 15.05.1992 on his application dt. 29.4.1992 for permission for it as evident from the charge sheet dt. 4.8.1992 (Ext. M-2) for his absentism. The workman has no good record of his service.

9. All the aforesaid facts clearly indicate that despite his medical fitness as per the Medical fitness as per the Medical Certificate dt. 25.2.1992 (Ext. M.5), and accordingly notice of the enquiry even on his home address, the workman did not appear in the domestic enquiry, resulting ex-parte enquiry. The conduct of the workman appeared to have been always his intentional evasion from it for his reasons best known to him. Though the O.P./Management

appears to be adopting fair and proper leniency for the workman for his interest. Hence, he deserves not relief whatsoever under Sec. 11 A of the Industrial Dispute Act, 1947. His dismissal in view of his habitual unauthorized absentism was quite justified. In such circumstances, I decline to interfere with it, as no establishment of the Management would be able to function with such frequent sick workman for Public Sector.

In the result, it is, in the terms of the reference, hereby.

ORDERED

The Award be and the same is passed that the action of the Management of Loyabad Colliery of M/s. BCCL in dismissing Sri Bishwanath Bhattacharjee from the service of the Company w.e.f. 25.8.1993 is quite fair and justified. The concerned workman is not entitled to any relief except his legal dues as ordered by the Management.

KISHORI RAM, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2013

कांआ 2514.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 120/1993, 121/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/187/1991-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 25th October, 2013

S.O. 2514.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 120/1993 & 121/1993) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the Industrial Dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 25/10/2013.

[No. L-20012/187/1991-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer.

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947.

Reference No. 120 of 1993.

Parties : Secretary,
Bihar Colliery Mazdoor Sabha,
Kusunda, Dhanbad

Vs Chief Gen. Manager, P.B. Area of
M/s. BCCL, Dhanbad

Appearances:

On behalf of the : Mr. Shekhar Sharma, Ld. Advocate
workman/Union

On behalf of the : Late H. Nath, Ld. Advocate
Management

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 24th Sept., 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/187/91-I.R. (Coal-I) dt. 06.09.1993.

SCHEDULE

"Whether the demand of Bihar Colliery Mazdoor Sabha that Shri Jimedar Prasad and 16 others ever worked as Blacksmith in Bhagabandh Colliery is justified? If so, whether they should be treated as employees of M/s. BCCL or not."

Name of the 16 workmen

1. Jimedar Prasad, 2. Deo Nandan Prasad, 3. Bachan Sharma, 4. Nandlal Sharma, 5. Rajesh Pd. Sharma, 6. Umesh Sharma, 7. Suraj Paswan, 8. Ajay Kumar Mahato, 9. Badal Kumar, 10. Somit Majumdar, 11. Adhir Kumar, 12. Ram Keshar Vishwakarma, 13. Bhanu Mukherjee, 14. Ram Lakhn Vishwakarma, 15. Ashok Kumar Srivastava, 16. Pradeep Sao, 17. Dwarika Bhuiya.

WITH

REFERENCE NO. 121 OF 1993

PARTIES : Secretary,
Bihar Colliery Mazdoor Sabha,
Kusunda, Dhanbad

Vs Chief Gen. Manager, P.B. Area of
M/s. BCCL, Dhanbad

APPEARANCES :

On behalf of the : Mr. Shekhar Sharma, Ld. Advocate
workman/Union

On behalf of the : Late H. Nath, Ld. Advocate
Management

State : Jharkhand

Industry : Coal

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/187/91-I.R. (Coal-I) dt. 06.09.1993.

SCHEDULE

"Whether the demand of Bihar Colliery Mazdoor Sabha that Shri Kedar Paswan and 14 others even worked in Bhagabandh Colliery of M/s. BCCL as Black Smith and that they should be treated as BCCL employees is justified? If so, from what date and to what relief they are entitled for such employment?"

Name of the 14 workmen

1. Kedar Paswan, 2. Bahgwan Paswan, 3. Ramesh Pd. Sharma, 4. Ashok Kumar Gupta, 5. Arvind Singh, 6. Ramesh Paswan, 7. Lakhindra Paswan, 8. Binod Paswan, 9. Arjun Sharma, 10. Arjun Paswan, 11. Dipak Paswan, 12. Banaras Paswan, 13. Dilip Paswan, 14. Dinesh Chouhan, 15. Rajesh Paswan.

2. The case of sponsoring Union Bihar Colliery Mazdoor Sangh, Kendua, Dhanbad for 17 (seventeen) workmen as named in the Schedule to the reference is that the workmen had been working as Tub repair Fabrication of winding cages and other miscellaneous Blacksmith work in Bhagabandh Colliery during the period from 1981 to 1985 under alleged contractor Mahaduo Sharma. They worked under the supervision of the Fireman and the Engineer of the Management. They were supplied all the materials and tools by the Management for their work. They were paid daily the pittance Rs. 15/- as labour charges only per day as contrastated with Rs. 60/- per day inclusive allowances paid to regular workers per head as Ct. IV wages. The management of the Colliery engaged them through the contractor in various blacksmith jobs underground as well as on the surface, but the alleged contractor neither was registered nor had any valid licence under the Contract Labour (Regulation & Abolition) Act, 1973. Though all the aforesaid works perennial in nature were prohibited to be done through the contractor. The engagement of the workmen in the said jobs of Tub repair etc. through the contractor intermediary was a camouflage based on the paper transaction of the management with intent to deprive them of the genuine privileges of employer—employee relationship and the benefits of the regular workers. At raising the fact of their regularization by the Union, these workmen were stopped from working in the year 1986. When the dispute was raised by the Union for their regularization employment before the ALCC, Dhanbad, the plea of the management that Sri Mahadeo Sharma was a supplier was false and untenable. It resulted in the reference for an adjudication.

3. The Union in its rejoinder categorically denying all the allegations of the O.P./Management, and repeated the aforesaid case of the workmen.

4. Whereas with specific denials, the contra case of the O.P./Management is that the question of employment of the alleged workman did not arise, as they have never worked at Baghabandh Colliery in any capacity as also submitted before the ALCO., Dhanbad. They were never employed by the management or by any contractor. So there was no Master and Servant relationship between the workman and the management. The case of the Union completely lacking the ultimate test of hire and fire about the master and servant relationship was untenable M/s. Bharat Coking Coal India Ltd., as a Public Sector Undertaking requires to follow the Central Government rules for filling up of the posts also those of SCs/STs through Employment Exchange. Giving employment to a contractor's workers amount to their entry into the service of the Principal Employer through backdoor in contravention of the rule and provisions of Employment for the Scheduled Caste and Scheduled Tribe candidates. Equal opportunities for employment should be given to all seeking employment. Employment by the contractor employed by the Undertaking would not get preferential claim of the employment which is uncondiscerble as an Industrial /Dispute u/s 2K of the I.D.Act.Regulation will deprive several eligible qualified and deserving candidates of competing for posts in violation to the Articles 14, 16 & 19 of the Constitution of India. Contract labours employed do not become the direct employees of the Principal Employer. They have no claim for regularization from employers. The Contract Labour & Regulations & Abolition Act does not provide for total abolition of contract labour. The dispute was raised by the Secretary for the Union as per letter dt.27.8.1990 for the first time after nine years. So the demand of the union for regularization is baseless.

5. The O.P./Management in its rejoinder refuting allegations of the Union has stated that the alleged workman were never employed by the Management in any regular and job of perennial nature which are prohibited through a contractor.

6. The case of the Union and O.P./Management as pleaded in the Ref.CaseNo.121/1993 are replica of their pleaded case in the instant reference. So the latter reference being between the same parties for same cause of action has been amalgamated with the instant Reference under an adjudication analogously.

7. In the instant reference No.120/1993,WW1 Nand Lal Sharma, one of the workmen for the Union, and MW1 Uma Shankar Singh, the Personnel Manager, and MW2 S.N.P.Yadav, the Superintendent Engineer for the Management Bhagabandh Colliery have been examined respectively.

But not a single witness produced or examined on behalf of the same union in the Ref.Case No.121/1993 in respect of S/Shri Kedar Paswan and 14 others as named in the schedule which involves the same O.P./Management for

the same cause, *i.e.*, for regularization based on the similar facts of both parties as pleaded respectively.

8. In this reference, the solemn statement of WW1 Nand Lal Sharma, under Sl.No.4 one of the 16 workmen reveals that they used to work/perform the job of blacksmith with the equipments supplied by the management under the supervision of the management inside and on surface of the colliery area from 1981; their job was of continuous nature; they used to perform their job for 240 days in one calendar year as per Attendance Register (Xerox copy) under the signature of Pal Saheb (Ext.W.1); they used to get their wages Rs.15 per day per capita which was not at par with the wages of the permanent staff. But despite their several representations, the management neither regularized them nor served upon them any notice nor paid any retrenchment compensation prior to stopping them from working; so they claimed for their regularization as the employee of BCCL. But the admission of the workman witness (WW1) evidently indicates none of them to have got any appointment, any bonus paper, a pay-slip, or any like paper. He (WW1) denied their never any such employment, continuous work or stoppage of work by the management.

9. Adversely to it, MW 1 Uma Shankar Singh as Personnel Manager at Bhagabandh Colliery has affirmed that the colliery had about 20 blacksmiths in the year 1981 and 1985, but the management used to utilize contractual services on lowest tender, the contractor used to appoint various people and pay them their wages, so there was no relationship of employer and employee in such cases of contractual services. MW2 S.N.P.Yadav as the Superintendent Engineer of the Colliery since 1981 appears to have clarified the stand of the management that Mahadev, one of the enlisted contractors of the BCCL, who was entrusted with repairing work of cage etc. at Chanak No.6 for temporary period for which the contractor used to engage his own men, and to pay them their wages, as such the management had right neither to engage or disengage the workers of the contractor. He (MW2) in his cross examination has also affirmed the fact that the repair of the cage was a continuous process in the colliery; the BCCL being a Public Sector Undertaking invited tender quotation for the repair etc., though the necessity of registration of contractor Mahadev Sharma as a contractor by the RLC© under the Rules, and any paper related to engagement of the workmen by the contractor were beyond his knowledge. He (MW2) has specifically denied the necessity of 32 workers (total numbers of the both the References under adjudication) as Blacksmiths in the colliery just as denied alleged termination of the workmen by the management.

10. On perusal and consideration of the materials available on the records of the both cases, I find that the Xerox copies of the Attendance Register for the year 1983 (Ext.W.1 series) undoubtedly proves that out of 60 persons noted in the Register, S/Shri Kedar Paswan & 14 others under Sl.No. 1 to 15 and S/Shri Jimedar Prasad and 16 others under Sl.No. 16 to 28, 30, 33 to 34 as referred in the Schedules to the Reference Nos.121/93 and 120/1993 respectively worked as

Blacksmith under contractor Mahadeo during the year 1993 not continuously. Even if it is treated as their continuously working in the year 1983, it clearly stands not their continuous service during the period of twelve calendar months proceeding to the dates, *i.e.*, 3rd Sept., 1993 with both the references to which calculation is to be made under Sec. 23 B (a) of the Industrial Disputes Act., 1947 for their actually working under the Employer.

The question of their working under the Employer does not arise, because the aforesaid documentary proof of their Attendance Register for the year 1983 itself disproves the case of the workmen to have worked directly under the management of Bhagabandh Colliery. Factually the management of the Colliery was not the employer of the workmen concerned, rather they were unrebuttably workers of aforesaid contractor Mahadeb, under whom they worked and they were paid their wages by him for their work of repair of the colliery Tub etc. carried on contractual basis. Thus no relationship of employer-employee ever existed between the workmen and the management of the colliery even for a single moment.

11. In view of the aforesaid discussed facts and the circumstances, it is, hereby in response to the terms of the both the References hereby:

ORDERED

Let the Award be and the same is passed that the demand of Bihar Colliery Mazdoor Sabha that Shri Jimedhar Prasad and 16 others in the schedule to the present reference No.120/93 ever worked as Blacksmith in Bhagabandh Colliery is not at all legally justified. They should never be treated as employees of M/s BCCL.

Accordingly the demand of the said union that Shri Kedar Paswan and 14 others as referred in the Schedule to the Reference No.121/1993 (analogous to the present reference) ever worked in Bhagabandh colliery of M/s. BCCL as Blacksmith and they should be treated as BCCL employee is legally quite unjustified. They are not at all entitled to any relief from any date.

Let the copies— one soft and one hard — of the Award be sent to the Ministry, Labour and Employment, Government of India, New Delhi for its publication in the Gazette of India. The Award passed in the present reference shall be binding upon the parties of its analogous Reference No.121/93 as well.

KISHORI RAM, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 2013

कांआ 2515.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं 2, धनबाद के पंचाट (संदर्भ संख्या 260 का 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28/10/2013 को प्राप्त हुआ था।

[सं एल-20012/218/2001-आई आर (सी-1)]

एम के सिंह, अनुभाग अधिकारी

New Delhi, the 28th October, 2013

S.O. 2515.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 260/2001) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the Industrial dispute between the management of M/s. ECL and their workmen, received by the Central Government on 28/10/2013.

[No.L-20012/218/2001-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2.), AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE No. 260 of 2001.

PARTIES

: The Secretary,

Bihar Colliery Kamgar Union,
Jharnapara, Dhanbad,

Vs. Gen. Manager, Mugma Area of
M/s. ECL, Dhanbad

APPEARANCES :

On behalf of the : Mr. K. Chakraborty, Ld. Advocate
workman/Union

On behalf of the : Mr. D.K. Verma, Ld. Advocate
Management

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 6th Sept., 2013.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.L-20012/218/2001-IR(C-I) dt.18.09.2001.

SCHEDULE

"Whether the action of the Management of M/s. E.C.L. in not regularizing Sri Laul Ojha as Loading Clerk is fair and justified? If not, to what relief is the concerned workman entitled and from what date?"

2. Neither the Union Representatives for Bihar Colliery Kamgar Union, Hirapur, Dhanbad nor workman Laul Ojha nor any witness for the workman appeared, but Mr. D.K. Verma, the Ld. Counsel for the O.P./management is present.

On the persual of the case record, I find that the case of the workman was already closed as per the Order No. 16 dt. 3.5.2006 on account on non-production of any witness for the workman as well as the inability of the Union representative for the workman to examine any witness

despite ample opportunities for it since 05.08.2005; as such the evidence of the management since thereafter is unwarranted. The Union Representative and the workman by their conducts clearly appear to be their disinterested in pursuing the Reference which is related to the regularization of the workman as a Loading Clerk. Under these circumstances, the case is closed as no Industrial Dispute existent, and accordingly it is passed an order.

KISHORI RAM, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 2013

का०आ० 2516.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 330 का 1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 को प्राप्त हुआ था।

[सं० एल- 20012/355/1999-आईआर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 28th October, 2013

S.O. 2516.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 330/1999) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of BCCL and their workmen, received by the Central Government on 28/10/2013.

[No. L-20012/355/1999-IR(C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 330 OF 1999

PARTIES : The Vice President,
Rastriya Colliery Mazdoor Singh,
Rajender Path, Dhanbad

V/s The chief Gen. Manager, Sijua
Area of M/BCCL., Sijua, Dhanbad

APPEARANCES :

On behalf of the workman/union : Mr. N.G. Arun, Rep. of the Union

On behalf of the Management : Late. H. Nath, Ld. Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 23rd Sept., 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act. 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/355/99(C-I) dt. 2.12.1999.

SCHEDULE

"Whether the action of the management of Bansudeopur Colliery under Sijua Area of M/s. BCCL to terminate Sri Lal Muni Nonia from the services of the Company is proper and justified? If not, to what relief, the workman is entitled?"

2. Neither Representative for Rastriya Colliery Mazdoor Sangh, Rajender Path, Dhanbad nor workman Lalmuni Nonia appeared nor any appeared for the O.P./ Management of Basudevpur Colliery nor any witness on behalf of the O.P. produced.

Perused the case record, it is evident from it that none appeared for the Union or the workman despite Regd. Notices for the proper representation of the workman, because the case has been pending for the evidence of the management since 19.7.2005, through Mr. H. Nath had produced later on one witness Dinanath Singh. But thereafter despite Regd. notices to the both parties for their proper representation in proceeding the case, none of the parties appeared in this case which is related to the termination of the workman. It is the oldest case of the year 1999. Under these circumstances, the Union representative and the workman by their conduct clearly appear to be disinterested in pursuing the case. In result, the case is closed as no Industrial Dispute existent; and accordingly an order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 2013

का०आ० 2517.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बीसीसीएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 53 का 1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20.10.2013 को प्राप्त हुआ था।

[सं० एल-20012/457/1996-आईआर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 28 October, 2013

S.O. 2517.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 53/1998) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 28.10.2013.

[No. L-20012/457/1996-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD****PRESENT:** Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE No. 53 OF 1998.

PARTIES : The Vice President,
Janta Sharmik Sangh, Fatka,
Nirsachatty, Dhanbad,
V/s. The General Manager, Barora Area
I, Nawagarh, Dhanbad

APPEARANCES :On behalf of the : Mr. A.K. Sinha, Ld. Advocate
workman/UnionOn behalf of the : Mr. D.K. Verma, Ld. Advocate
Management

State : JHARKHAND

Industry : Coal

Dated, Dhanbad, the 30th Sept., 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/457/96-IR(C-I) dt. 20.02/11.03.1998 & 27.09.2012 respectively.

SCHEDULE

"Whether the demand of the Union for the enrolment/absorption of S/Shri Kamlesh Prasad Singh and others (as per list enclosed) of the Ghutway Colliery/Fire Clay Mine is justified? If so, to what relief the concerned workmen entitled to?"

2. The case of sponsoring Union Janta Shramik Sangh, Nirsachatti, Dhanbad for 236 workmen Kamlesh Pd./Singh and, others (as per list enclosed, now replaced with the new list as per corrigendum dt. 27th Sept., 2012) is that formerly the proprietor Jai Kumar Ojha had been wining (Mining an ore) coal as well as fire clay even by open casting from the Ghutway Colliery, a composite one since long. His mining lease from the state of Bihar through District Mining Officer, Hazaribagh on 22.2.1971 in respect of the working of coal and fire clay in 698.78 acre of land at Mouza, Ghutway Colliery was granted and recognized. He submitted his several Return in form I under the Coal Mines Regulation 1957 to the Chief Inspectors of Mines in India. The Central Government of India also issued him the Factory licence for running the said Colliery. Several letters were written to him; and several inspection were made by the Directorate of Mines in regard to safety of Mines. though the Ghutway Colliery was neither taken over by the Central Government on 31.01.1973 or on 01.05.1973, at the objection of the Central Government to winning of Coal from the Mines, the Proprietor filed a Special Leave before the Hon'ble Supreme Court of

India against the state of Bihar and others wherein he was allowed to extract fire clay but not coal, from the colliery. The workmen concerned were all along engaged in the extraction of coal and fire clay since prior to 1980 until their unengagement by the BCCL. The operation of the said colliery and several Mines by Proprietor was to the full knowledge of the BCCL and other government Officials. The Ghutway colliery vested in M/s. BCCL in the year 1986 while the workmen were working therein, but the BCCL forced them to leave their service. Even after the takeover of the said colliery by the Management of BCCL in the year 1995, in course of their employment in the colliery, there was a relationship of employer-employee between the BCCL and the workmen, as they had worked prior to 1973 till 1995 until the stoppage of their work by the BCCL. Neither they can be alleged as the workmen of a private colliery nor their services/relationship of employer-employee in the year 1995 are deniable nor the Management of BCCL can escape from its liability for their regularization in the colliery, so it is alleged the demand of the union for the employment/absorption of the workmen on the ground of their continuous employment of the colliery as justified.

3. The workman Kamlesh Pd. Singh for the Union in his rejoinder categorically denied the allegations of O.P./management, and stated that the reference is legally maintainable; inclines of Mines are still existing and being used by the management. Initially the Ghutway colliery was being operated by the private colliery owners who continued to work in the Mines 1980. Fire clay is removed from the surface for which inlets are made. Possible engagement of some persons/workmen by the Private colliery owners to remove fire clay is an admitted fact of the management. All the workmen were removed from the colliery. The management deployed other persons in place of present workmen for working at the colliery. The workmen have worked in it even after the enactment of Coal Mines Nationalization Act, 1971 and other subsequent Acts.

4. Whereas with specific denials, the contra case of the O.P. management is that no employer-employee relationship ever existed between the management and the persons concerned. The persons as job seekers have got together to get themselves absorbed in the service of M/s. BCCL with the help of litigation through the Union. The Ghutway Colliery had virgin coal seams and it had neither an opening as inclines nor a pit as an exit routes for the working of the workers or for forcing fresh air and obnoxious air inside the Mine. The existence of the colliery in lack of pits and inclines is beyond imagination. The private owner could not operate the coal seams as per the provision of Coal Mines Nationalization Act, 1973 read with the Amendment 1976. In course of winning and removal of fire clay, the private owner having the lease incidentally and surreptitiously committed theft of coal by engaging a few workmen, and according the private owners and some interested persons tried to disturb the management of the M/s. BCCL in the initiation of any plan for winning coal from the colliery as per the notice to the Office of the DGMS under the Mines Act 1952 for commencement of civil construction of inclines for coal mining underground. After much difficulty, the management opened the Mine after 1995 and deployed its

own specilized workers for construction jobs, driving of incline and opening of the Mines etc., and thereafter such specialized workers started development work in the Mine. But the persons concerned were never engaged by the management in any of the said jobs including Mining. The management had already surplus manpower, so providing employment to the outsiders persons was beyond imagination. At the enforcement of Coal Mines Nationalization (Mines Act) 1986, since 15.12.1986 and after retrospectively repealment of its Sec. 14 of the said Mines Nationalization Act, 73 w.e.f. 31.1.1973, workmen of private employers cannot demand for their absorption under the management. The Management has no concern with the winning fireclay by the private owner for winning fire clay through his considered/chosen genuine workers from the colliery with open casting working thereof as per the terms & conditions of his lease Deed. Thus the demand of the Union is meritless.

5. The O.P./Management in its rejoinder categorically denying the allegations of the Union has stated that though the management was unaware of all particulars of the lease Deed of private owner Jay Kumar Ojha, the coal seam was never exploited by constructing any mine and the mining operator was purely confined to region of fireclay only. The persons concerned are not entitled to any relief.

FINDING WITH REASONS

6. In the instant Reference WWI Mikashar (Nishakar) Pandey (unnamed in the New List as per the Ministry's Letter dt. 27th Sept., 2012 WW2) Jai Kumar Ojha, the Owner of Ghutway Colliery for the Union concerned, and MWI Jageshwar Narayan Gupta, the Manager of Damoda Colliery including Ghutway Colliery one as it Section under him, for the O.P./Management have been examined respectively.

Mr. A.K. Sinha, Ldl. adv. for the Union/workmen has vociferously submitted that both the letters dt. 16.2.1973 and 10.02.1973 issued by the custodian, Coal Mines Authority (C.M.A.), Madhuban Group to Ghutway Colliery Co. and Shri Jay Kumar Ojha, owner of the Colliery (Extt.W.2 & 3) respectively proved the status of Mr. Ojha as the owner thereof, who was thereby, directed to hand over the books of Accounts, Register and other documents to the Custodian as per Sec.5(3) of the Coal Mines (taking over the management). Ordinance 1973, which provides for the vesting of the charge of the management of the Coal Mines in the custodian on his appointment; formerly M/s Ghutway Colliery, Kaman and Dist. Hazaribagh was granted the Licence No. L/2(1)/-468/71-LC dt.27th July 1971 (Ext. W.4/1) for carrying on business licence for production of coal from the Colliery in the state of Bihar (now in Jharkhand) to the capacity of 15,000 tones per annum which was amended to 10,000 Tonnes accordingly as per the Government of India's Letter 17.03.1973 (Ext. W.4), but as per the Hon'ble Supreme Court's Order dt. 18.10.1980 passed in the Writ Pet. No. 1652/80(Ext. W.4), passed in the

writ Pet. No. 1652/80(Ext. W1), Mr. J.K. Jha, the owner was allowed to mine and remove only fireclay without in any way touching any scam or deposits of Coal.

7. Further Mr. Sinha also submitted that all the workmen also per the statements of both witnesses of the Union (WWs 1 and 2) were the employees of the private owner Jai Kumar Ojha (WW2 himself); it is an admitted fact that Sec. 14 of the Nationalization Act 1973 laid down the continuation of the Private Owner's employees but it was repealed by the Amendment Act., 1996, so the workmen claimed not under said section of the said Act, rather demand for their services of retrenched workmen under Section 25 H bearing Heading "Re-Employment of Retrenched workmen under the Industrial Dispute Act., 1947". The existence of the said colliery at the relevant time is also an admission of MWI, as also its existence at Sl.No. 94 under the Schedule to the Coal Nationalization Act., 1973. Besides, it is submission on the part of the Owner/workmen that the Union/workmen that the failure of the O.P./management to provide a notice or any compensation to the workmen as required mandatorily under the Sec. 25 F of the I.D. Act., 1947 and the settled law of the Hon'ble Court reported in (1978) 2 SCC & AIR 2001 SC 1994 that The management started Mines Operation in the year 1995 at the same are at Ghutway Colliery where concerned workmen were working and the management has taken over the assets of the colliery and workmen are also assets of the colliery are the vital points in favour of the workmen as quite deserving and entitled to have employment in the BCCL as per the provision under Section 25 H of the I.D. Act.

8. Whereas the point wise contention of Mr. D.K. Verma, Learned Counsel for the O.P./management is the substitution of the 1st list by the 2nd list of alleged workmen as per corrigendum of the Ministry concerned dt. 27th Sept., 2012 out of which neither refers to the age of the workmen that the Ext. W.4/1, the Order dt. 27.07.1971 of the Central Ministry of Industrial Development refers to application dt. 16th April, 1966 of the M/s Ghutway Colliery, Company for a licence; but evident admission of the WW2 Jai Kumar Ojha, the alleged owner of the Ghutway Colliery himself, that he possesses not any paper/document as a proof for the engagement of the aleged workmen by him or for all the papers and Registers including their employment submitted by him to the custodian concerned, or payment of their wages, or about any papers to show the Form B Register of the workmen to have been taken by the BCCL.

It is mandatory duty of the owner to maintain Form-B Register for 1996 as Sec. 48 of the Mines Act prescribed that no workman is allowed to enter the Mines without entry of his name, age and all particulars in the Form B Register as also no employment of a person in the Mines who is below 18 years of age. In the present case, the Union concernd for the workmen is silent at the point of their factual age. Further it has been contended by

Mr. Verma, the Ld.Counsel for the O.P./Management that the points of retrenchment neither pleaded nor applicable to the present case as its nature appears, and that there is no provision for the enrolment of such alleged workmen having no relationship with the BCCL. Mr. Verma, also has to contend that none of the both rulings cited on behalf of the workmen is applicable as the case of the Union stands without any basis.

9. On the perusal and due consideration of the materials available on the case record. I find that it is indisputable facts that the workmen or the Union or Mr. Jay Kumar Ojha, the alleged owner of the then Ghutway Colliery has no proof of the Master & Servant relationship between the workmen and him just as it appears no such relationship ever existed between the workmen and the Management of Barora Area No. 1 of M/s BCCL, Nawagarh (Dhanbad) for a single moment. Under these circumstances, it is hereby in the terms of Reference.

ORDERED

The Award be and the same is passed that the demand of the Union for enrolment/absorption of S/Shri Kamlesh Pd. Singh & others as per corrigendum dt. 27.07.2012 of Ghutway Colliery/Fire Clay Mine is totally unjustified and illegal. Therefore, the concerned workmen are not entitled to any relief.

KISHORI RAM, Presiding Officer

List of workmen Ghutway colliery/fire clay mines as per ministry's corrigendum file No. L-20012/457/1996-IR(C-I) dt. 27th September, 2012

Sl.	Name	Father's Name
1.	Kamlesh Pd. Singh	Late Ghanshyam Singh
2.	Rajesh Kumar Singh	Late Jagdayal Pandey
3.	Rajesh Kumar Singh	Kamlesh Pd. Singh
4.	Deepak Kr. Singh	Kamlesh Pd. Singh
5.	Sanup Kumar Jha	Jai Kumar Jha
6.	Dinesh Pd. Mahato	Rashu Mahato
7.	Raj Kumar	Late Gopal Moryen
8.	Satrughan Gope	Hari Gope
9.	Rajesh Ram	Baleshwar Ram
10.	Bhuneshwar Kewat	Arjun Kewat
11.	Anand Kumar	Sachin
12.	Dhirendra Prasad	Prabhu Chand
13.	Barun Chakraborty	Hemendra Chakraborty
14.	Bhuli Kewat	Mangra Kewat
15.	Dinesh Prasad	Rameshwar Prasad
16.	Dulendra	Rukram
17.	Bharat Lal Tondon	Hiralal Tondon

18.	Sujeet Kumar	Raj Kumar Prasad
19.	Ranveer Kumar	Gajanand Singh
20.	Nitesh Kumar	Ravi Shankar Singh
21.	Akash Kumar	Ram Pravesh Singh
22.	Shiv Ranjan Kumar	Mahendra Kumar
23.	Hiralal Kewat	Late Chuttu Kewat
24.	Deepak Kumar Lala	Gokul Pd. Lala
25.	Bharat Mahato	Late Bijya Mahato
26.	Banshi Gope	Gala Gope
27.	Sanjay Singh	Prem Chand Singh
28.	Sarek Pd. Singh	Late Puneet Singh
29.	Pramod Singh	Late Puneet Singh
30.	Ramadhin Singh	Late Puneet Singh
31.	Hemlal Banerjee	Chhali Ram Banerjee
32.	Nepal Banerjee	Chhali Ram Banerjee
33.	Bhuneshwar	Mahedkar
34.	Prabhakar Jha	Akhil Jha
35.	Rakesh Jha	Dilip Jha
36.	Surendra Kumar	Bhuneshwar Mallah
37.	Kanhaiya	Sonaw
38.	Vijaya Kumar Jha	Jay Kr. Jha
39.	Prasun Banerjee	Ashim Kumar Banerjee
40.	Anup Kr. Jha	Jay Kumar Jha
41.	Manoj Kumar	Upendra Prasad
42.	Pursotam Kumar Kewat	Ramchandra Kewat
43.	Kirpal Kumar Kewat	Ramchandra Kewat
44.	Bharat Lal Sahu	Chandra Sahu
45.	Kishor Kumar Manhar	Gendalal Manhar
46.	Manoj Kumar Bhardwaj	Pukram Bhardwaj
47.	Rajat Nishad	Devnandan Nishad
48.	Sanjay Kumar	Rameshwar Nishad
49.	Krishna Kumar	Ramchatitra Prasad
50.	Tinku Prabhakar	Lakhan Sahani
51.	Munil Kumar	Shivandan Kewat
52.	Soumitra Goswami	Subot Chandra Goswami
53.	Chhotu Kumar Rewani	Dinesh Rawani
54.	Rajendra Kumar	Sukram
55.	Dipak Sharma	Dinesh Kumar
56.	Dinesh Kumar	Devraj Mallah
57.	Suraj	Bhusan Sahay
58.	Mita Chakraborty	Umesh Chakraborty
59.	Rimil Ghosh	Sailesh Ghosh
60.	Arun Chakraborty	Hemendra Chakraborty

Sl.	Name	Father's Name	Sl.	Name	Father's Name
61.	Satish Kumar Dubey	Late Shiv Narayan Dubey	102.	Rohit Kumar	Tarkeshwar Mallah
62.	Janardan Kumar Dubey	Satish	103.	Raju Singh	Jageshwar Singh
63.	Tapas Kumar Sen	Ishwar Chandra Sen	104.	Gopal Pd. Sahu	Sampat Lal Sahu
64.	Urmila Devi	W/o Suresh Yadav	105.	Jagatpal Sahu	Rameshwar Sahu
65.	Raju Yadav	Somar Gope	106.	Sohan Lal Sahu	Gandhar Sahu
66.	Sanjay Yadav	Laldhari Gope	107.	Chhannu Lal Sahu	Gangadhar Sahu
67.	Suresh Yadav	Phutu Gope	108.	Lochan Sahu	Jagdish Sidhar
68.	Bindo Yadav	Sukar Gope	109.	Amit Kewat	Ramlal Kewat
69.	Raju Nisad	Late Bhudha Nishad	110.	Ravi Gope	Bhushan Gope
70.	Raju Yadav	Baidnath Yadav	111.	Sanju Barat	Tijram Barat
71.	Yijay Yadav	Late Lalu Gope	112.	Dhirendra Kumar	Sahdev Pandey
72.	Shuklendra Kumar Sinha	Birendra Prasad	113.	Om Prakash Prasad	Khub Lal Ram
73.	Nem Chandra Yadav	Gorey Yadav	114.	Lakhan Nishad	Janki Nishad
74.	Suresh Yadav	Sukar Gope	115.	Vijay Kumar Kewat	Madan Nishad
75.	Nehal Yadav	Kailesh Gope	116.	Ajay Kumar	Jagdish Nishad
76.	Manish Chandra Gope	Tileshwar Gope	117.	Akash Kumar	Bhagwan Lal
77.	Ravi Kumar Yadav	Roshan Lal Yadav	118.	Amerjeet Mallah	Basudev Mallah
78.	Lalan Rajak	Bhaijhan Rajak	119.	Manoj Kr. Mahato	Jiwadhan Mahato
79.	Binod Yadav	Phutu Gope	120.	Rajesh Kumar Mahato	Murri Mahato
80.	Raju Sahu	Samru Sahu	121.	Arun Kumar Mahato	Nikhant Mahato
81.	Akhileshwar Prajapati	Kailash Parjapati	122.	Jitendra Ram	Late Kishun Ram
82.	Ranjay Kumar	Suresh Kumar	123.	Ramesh Choudhari	Niranjan Choudhary
83.	Sanjay Kumar	Late Devnandan Kewat	124.	Vikash Kumar	Kameshwar Kumar
84.	Anil Kumar	Shiv Ram Kumar	125.	Prakash Nishad	Shyam Lal Nishad
85.	Balwant Kumar	Sudesh Kumar	126.	Kausal Kishor	Surendra Kumar
86.	Kumar Gurav	Bihari Kumar	127.	Sanjeev Kumar	Ram Tiwkia
87.	Ganesh	Jagdish	128.	Falendra Singh	Dharamnath Singh
88.	Dharamraj	Dhannjay Kumar	129.	Chandradeep Pasi	Naresh Pasi
89.	Rajeev Kumar	Patru Kumar	130.	Yugesh Bharti	Anadesh Bharti
90.	Mitrunjay Kumar	Late Basudev Kumar	131.	Amit Kumar	Rajendra Kumar
91.	Ranjan Kumar	Jagdev Kumar	132.	Sudhir Kumar	Krishna Kumar
92.	Prakash Kumar	Magdev Kumar	133.	Shambhu Kumar Paswan	Late Deepnarayan Paswan
93.	Mirtunjay Kumar	Late Narsingh Kumar	134.	Dinesh Singh	Basudev Singh
94.	Dharan Kumar	Raj Mohan Kumar	135.	Tarkeshwar Thakur	Banarsi Thakur
95.	Suraj Bhusan Sahay	Mangal Bhushan Sahay	136.	Gurav Kumar	Rambaran Thakur
96.	Kunal Kumar Chauhan	Fulchand Chauhan	137.	Sarmendra Kumar	Satya Narayan
97.	Rajeev Ranjan Kumar	Krishna Kumar	138.	Pila Ram Sahu	Ajit Ram Sahu
98.	Birendra Kumar	Rajeshwar Kumar	139.	Ram Kumar Sahu	Resham Lal Sahu
99.	Dhananjay Kumar	Rajeewar Kumar	140.	Mohan Lal Sahu	Bhuj Ram Sahu
100.	Anand Shankar	Shyam Sundar Prasad	141.	Sanjay Kumar	Sri Saw
101.	Arun Kumar	Rajeshwar Kumar	142.	Rupnarayan Sahu	Premlal Sahu
			143.	Nityanand Kumar	Laxman Mallah

Sl.	Name	Father's Name	Sl.	Name	Father's Name
144.	Jagat Ram	Dhani Ram	186.	Lalit Mallah	Arjun Mallah
145.	Ram Niwas	Sonaw	187.	Niraj Kumar	Rajesh Kumar
146.	Karan Thapa	Ganesh Thapa	188.	Jitendra Kumar	Narsingh Kumar
147.	Gend Lal	Gayaram Sahu	189.	Ram Pd. Mallah	Ishwarya Mallah
148.	Parwez Alam	Md. Rafique	190.	Rinku Pd. Nishad	Late Tulsi Mallah
149.	Mulchand	Deo Ram	191.	Vijay Kumar Paswan	Shiv Narayan Paswan
150.	Santosh	Het Ram	192.	Dhananjay Kr. Saw	Vijay Kumar Saw
151.	Dharam	Kunjal	193.	Mahanjay Kr. Saw	Vijay Kumar Saw
152.	Guddu Kumar	Laxman Mallah	194.	Bhola Kumar Paswan	Late Deep Narayan Paswan
153.	Agardas Khute	Teej Ram Khute	195.	Manoj Prasad	Bajjnath Prasad
154.	Nand Kishor Kumar	Rajeshwar Kumar	196.	Rupesh Kumar	Indra Mallah
155.	Halder Laxme	Jageshwar Laxme	197.	Janak Kumar Kewat	Ramkishun Kewat
156.	Pramod Bharti	Bhuru Ram Bharti	198.	Mithlesh Kumar Sahani	Rameshwar Nishad
157.	Ganesh Lakshme	Guha Ram Lakshme	199.	Vishwanath Sahani	Jogindra Nishad
158.	Raj Kumar Lakshme	Jageshwar Lakshme	200.	Anil Kumar	Suresh Gorai
159.	Ishwar Lakshme	Ghasiya Lakshme	201.	Ambika Nayak	Ramchandra Nayank
160.	Manoranjan Pal	Paritosh Pal	202.	Jayprakesh Nishad	Sandhu Nishad
161.	Jitendra Sahni	Faritosh Pal	203.	Ramadhar Kumar	Bindam Mallah
162.	Manoj Kumar	Krishan Deo Mallah	204.	Dashrath	Late Biral
163.	Radhyashyam Khute	Kali Ram Khute	205.	Shyama Charan	Bhod Ram Tondon
164.	Santosh Kumar	Hiralal	206.	Sundar Mani	Gore Lal
165.	Kishan	Bhuvan	207.	Shiv Chakraborty	Jagdish Chakraborty
166.	Hari Sankha	Lochan	208.	Nripati Sahu	Rameshwar
167.	Kashmiri	Sarwan Kumar	209.	Niranjan Sahu	Ram Singh
168.	Lalan Kr. Choudhary	Late Girija Chaudhary	210.	Arvind Kumar Karsh	Loknath
169.	Ravindra Kumar	Chhedi Lal	211.	Tabrej Alam	Md. Rafique
170.	Anup Chakraborty	Parimal Chakraborty	212.	Dinesh Kumar	Vijay Kumar
171.	Jitendra Kumar	Chhedi Lal	213.	Dinanath Khute	Bhaiya Ram Khute
172.	Ramesh	Rewa Ram	214.	Ganesh Kumar	Ramjanam Mallah
173.	Kushal Pandit	Dwarika Rathore	215.	Rajesh Ware	Akant Kumar Ware
174.	Om Prakash Sharma	Bachulal Thakur	216.	Devendra Kumar	Saryu Pandit Singh
175.	Dilip Kumar	Madan Nishad	217.	Avinash Kumar	Kaushal Kumar Singh
176.	Kanyaiya Lal Thakur	Vijay Thakur	218.	Rakesh Kumar	Nand Kumar
177.	Toshan Pandit Tandon	Resham Lal Tendon	219.	Ramesh Kumar Suman	Ram Sewak Singh
178.	Bhim Yadav	Achay Ram	220.	Manish Kumar	Rambilash Singh
179.	Prem Chand Kumar	Devinandan Mallah	221.	Saroj Kumar	Deep Nayan Kumar
180.	Sarwan Kumar	Arjun Ram	222.	Sanoj	Laljeet Mallah
181.	Sanjay Kr. Gupta	Vijay Kr. Gupta	223.	Vipin Kumar	Kalyan Singh
182.	Sarita Sinha	W/o Late Ajay Kr. Sinha	224.	Vikash Kumar Dubey	Ajay Kumar Dubey
183.	Raj Kumar Saw	Shiv Saw	225.	Tapas Chakraborty	Hemendra Chakraborty
184.	Smt. Amrat Tondan	W/o Vijay Kr. Tondon	226.	Bhola Bhattacharya	Monindra Kr. Bhattacharya
185.	Dilip Baidh	Baithnath Baidh			

Sl.	Name	Father's Name	BETWEEN
227.	Sushil Kumar	Bindeshwar Mallah	Sri P. Nityanandam : 1st Party/Petitioner
228.	Ankar Nishad	Tulsi Mallah	AND
229.	Sunil Saw	Shiv Saw	The Airport Manager : 2nd Party/ Respondent
230.	Prabhakar Kumar	Jaheer Kumar	
231.	Sapan Kumar Jha	Sarwan Kr. Jha	M/s Cambata Aviation P. Ltd.
232.	Pawan Kr. Jha	Sarwan Kr. Jha	12-A/14, IInd Floor, Departure
233.	Uttam Kumar Jha	Dilip Kumar Jha	Anna International Airport,
234.	Awadesh Kumar Jha	Jay Kumar Jha	Chennai International Airport
235.	Mukesh Kumar Sinha	Madan Prasad	Chennai-600027
236.	Raj Kumar	Ashok Kumar	

APPEARANCE :

For the 1st Party/Petitioner : Sri K. Sudalaikannu,
Advocate

For the 2nd Party/
Management : M/s T. S. Gopalan & Co.,
Advocates

AWARD

The Central Government, Ministry of Labour & Employment *vide* its Order No. L-11012/4/2013 dated 16.11.2012 referred the following Industrial Dispute to this Tribunal for adjudication.

2. The I D has been referred to this Court with the following schedule and has been numbered as ID 87/2012:

"Whether the action of the Management of Cambata Aviation P. Ltd., Chennai in denying the Statutory Airport Entry Pass to Sri P. Nityanandam, to gain entry inside the Airport, thereby causing a forced termination from service is legal and justified? To what relief is the concerned workman entitled?"

3. The First Party has entered appearance in the matter. He has engaged a counsel for him also. However the First Party as well as his counsel have been continuously absent. Even though the case was repeatedly posted for filing Claim Statement, there was no response from the side of the First Party. He seems to be not interested in prosecuting the case.

4. In the above circumstances, the petition is dismissed. The reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 23rd September, 2013)

K. P. PRASANNA KUMARI, Presiding Officer

Witnesses Examined:

For the 1st Party/Petitioner : None

For the 2nd Party/Management : None

नई दिल्ली, 1 नवम्बर, 2013

का०आ० 2518.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोम बेटा एविएशन प्राइवेट लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 87/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27/10/2013 को प्राप्त हुआ था।

[सं० एल-11012/4/2012-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 1st November, 2013

S.O. 2518.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 87/2012 of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Chennai as shown in the Annexure, in the industrial dispute between the management of M/s. Cambata Aviation P. Ltd. and their workmen, received by the Central Government on 27/10/2013.

[No. L-11012/4/2012-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Monday, the 23rd September, 2013

Present : K. P. Prasanna Kumar, Presiding Officer

Industrial Dispute No. 87/2011

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Cambata Aviation P. Ltd. and their workman)

Documents Marked:

On the petitioner's side

Ex.No.	Date	Description
	N/A	

On the Management's side

N/A

नई दिल्ली, 4 नवम्बर, 2013

का०आ० 2519.—औद्योगिक विवाद अधिनियम, 1947 (1947 की 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 274 का 1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27/10/2013 को प्राप्त हुआ था।

[सं० एल-20012/323/1995-आई आर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 4th November, 2013

S.O. 2519.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 274/1999) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of M/s CCL, and their workmen, received by the Central Government on 27/10/2013.

[No. L-20012/323/1995-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD****PRESENT:** SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Sec. 10(1) (d) of the I.D. Act, 1947.

REFERENCE No. 274 OF 1999

PARTIES: Employers in relation to the management of Jarandih Colliery of M/s CCL and their workmen.

APPEARANCE:

On behalf of the workmen: Mr. D. Mukherjee, Ld. Adv.

On behalf of the management: Mr. D.K. Verma, Ld. Adv.

State: Jharkhand

Industry: Coal

Dated:

Dhanbad, 28th March, 2013.

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal *vide* their order No. L-20012/323/95-IR(C-I) dated 15.7.1999.

SCHEDULE

"Whether the demand of United Coal worker's Union to regularise the job of Shri Moin and 25 other workmen engaged in pipe fitting works in Jarandhi Colliery of C.C. Ltd. Management and to provide wages and other benefits as per N.C.W.A. IV is proper and justified? If yes, what relief they are entitled to and from which date?"

At the outset, it is pertinent to mention that consequent upon the recalling of the suo-motto Award dt. 15.10. 2002, the Reference came for hearing on merits as per Order No. 5 dt. 28.5.2003 of the Tribunal.

2. The case of the United Coal Workers Union for workers Moin and 25 others (as per list enclosed) is that all the workers (as per the Annexure List) have been performing the job of fitting, maintaining the pipes for stowing and other purpose inside the mine of Jarandih Colliery for more than years since their employment by the management through their intermediaries working more than 240 days yearly. The work of pipe fitting is permanent, perennial in nature and incidental to the work in the mine. The work of pipe laying/fitting and its regular maintenance is done according to instruction and direct supervision of the management for which short training for safely etc. to work inside the mines is given. These are skilled works and are done by the workers as per specifications of the management. In flux of time contract labour system was abolished as per the Central Government's Notification published in the Gazette, but the management deployed them through intermediaries/contractors in order to deprive them of all legal benefits and claims.

3. Further it is alleged that the workmen remained hopeful for their treatment as the employees of the management eventually, but the management of CCL is not regularising their services. So the Union raised an industrial dispute in the year 1994 for regularisation of their services and for equal payment of their wages as per NCWA-IV directly the management. The workmen working for longest period have been the senior most employees as pipe fitting mazdoors, so they are entitled to their absorption in regular employment. The management is supplying them all tools for execution of the job, though intermediaries are being changed. The management is also guilty of unfair labour practice for their acts of omissions and commissions in depriving the workmen of their legal right to livelihood by not giving them the status of regular employees in the eye of law. The abolition of contract labour system resulting in

removal from regularisation under the Act has created direct relationship of employer and employees between the principal employer and the workmen.

4. With specific denials in the rejoinder of the workmen, it is alleged that the workmen concerned have been regularly working, but not temporarily. The management has been preparing perfect paper arrangement to comonflage the real issue. The NCWA is applicable to the workmen of the Coal Industry, to which the Minimum Wages Act does not apply, so the payment of alleged wages as per the latter Act is ipso fact illegal.

5. Whereas the contra pleaded case of the O.P./ Management with categorical denials is that the present case is unmaintainable, as no employer employee relationship exists between the workmen concerned and the management. One person named Md. Hussain was awarded the contract for the job of pipe fitting concerning lay out of stowing range in different panels at different time intermittently as per the requirement. Some of the concerned workmen had worked as temporary workers under the contractor there was no scope for engagement of the workmen throughout the year on the job on the jobs of pipe fitting of stowing range. The nature of the work involved not more than 15 persons at a time, no question arises as to engagement of 26 persons. The coal scam of Jarandih Colliery is being extracted through inclines by underground mining operations in conjunction with hydraulic sand staving in the form of panels. Whenever a new panel is opened, fitting of a pipe range requires for enabling the management to transport the sand by hydraulic pressure, and to staw the void created after extraction of coal with the sand so transported by hydraulic pressure through the pipe range.

6. Further it is alleged on behalf of the management that the extraction of coal from the pillars available in a particular panel lasts for six months to one year. A new panel is opened after completion of the coal extraction. Thus the work of pipe fitting for setting up a staving range is carried on intermittently once or twice a year. Such work is not regularly done by the management. The management has sufficient numbers of staving gangs to carry on day to day staving, operation, and to carry on repair and maintenance of staving range as well. The aforesaid contractor engaged the workmen on purely temporary basis to execute the contract job, after completion of which, he submitted his bills and received the payment of its from the management. He supervised the works carried on his workmen, and paid them their wages as per the agreement between him and the workmen as also under the Minimum Wages Act. The contractor exercised full control over his workmen and their job, so not in any circumstances any relationship between the management of CCL and the contractor's workers could be established. The union has made out its pretended case the persons concerned as the

Contractor's workers and same job seekers malafide to induce them into the employment of the Public Sector Undertaking through the litigation. The contractor-workers are not entitled to regularisation under the Principal Employer in the non-existence of the employer-employee relationship. Thus they can not demand the payment of their wages as per NCWA IV.

7. The Management in its rejoinder has alleged that most of the persons included in the list are strangers and job seekers in addition to the aforesaid contractor's workmen. It is wrong to suggest more than 10 years to have elapsed from the date of raising the dispute before the the ALC. Contractor Labours can not demand for their absorption under the principal employer. As such the persons concerned are not at all entitled to any relief.

FINDING WITH REASONING

8. In this reference, WWI Md. Moin, one of the workmen for the Union and MWI M.K. Mukherjee, Dy. Manager (Pers), Jarandih Colliery, CCL for the management have been examined.

According to the statement of WWI Md. Moin for the sake of his colleagues, all the workmen have been performing the job of fitting and laying the pipes inside the Mine under the supervision of the management since 1992; the management supplies them the tools as the eight photocopies Cap Lamp Issue Register (Extt. W. 2 series) maintained under signature of Mr. S. Thakur, the Under Manager. The management gives them their salary in its office as per the weekly wages Register under the signature of Mr. B.K. Rathour, the Personnel Manager of which the photocopies in thirteen sheets as Extt. 3 series. To him (WWI), the workmen were put under training as per the order of Sri Balram Singh, the Manager of Jarandhi Colliery (the photocopies as Extt. 1 and 1/1), Prior to their assignment for the work inside the mine. As to the authenticity of the documents, the witness (WWI) failed to assert who got it wherefrom, though he stated the Union to have filed the documents. The WWI has in equivocally admitted that they have got neither any appointment letter nor identity card nor any payslip from the management, and that they have not any certificate for Pipe Fitting etc. Training. He has denied to be workers of their contractor Md. Kudus who maintained the aforesaid wages Register, but striking his name off it, it was filed by them.

9. Where as the MWI M.K. Mukhopadhyay (Mukherjee), the Dy. Manager (Pers.), Jarandhi Colliery for the management by mere oral statement has stated that a contract was given by the management to the contractor Md. Hussain for sitting up the pipe fitting inside the Mine of the Colliery which was not of perennial in nature. He has flatly denied any engagement of Md. Mudduin and 25 others by the Management for the work. Expressing ignorance of whether colliery by the workmen for the Cap Lamp Register, floating of a tender for job of pipe fitting

through a contractor, the management witness has accepted the maintenance of the V.T.C. (Vocational Training Centre) by the Management as per Mines Vocational Training Rules and of a Register of Cap Lamps for permanent worker but he is not sure of the workmen having been given such training. To him, no licence is required for the contractor for a work concerning 8-10 persons, though Registration Certificate of the Contractor was there, yet uncertain of it was filed.

10. Mr. D. Mukherjee, the Ld. Advocate for the Union/workmen submits that the workmen as per oral and documentary evidences of WWI Md. Moin have unchallengedly proved that they have been working as Pipe Fitting Mazdoor in the underground of the Mine since 1992 under the direct control and supervision of the management, whereas the management failed to produce and documents of any intermediary contractor Md. Hussain engaged by the management for the job of pipe fitting, so they as skilled workers are entitled to their absorption in the colliery as per the Rule 28(3) of the Mines Vocational Training Rules 1966.

In support of the argument, Mr. Mukherji the Ld. Counsel for the Union, has put absolute reliance on these authorities in photocopies as under:

1999(2) L.L.N. 612(SC)(DB), Secretary, Haryana State Electricity Board Vs. Suresh & Others with reference to Sec. 10 of the Central Labour (R&A) Act 1970 concerning the concept of Contract Labour and its effect. The fact of it is that Haryana Electricity Board in order to keep its plans and stations clean and hygienic awarded a contract for the work, not of seasonal nature, under the stipulation for engagement of number of employees for it. Overall control of working of Contract Labour including Admn. remained with the Board, but the Board neither registered as Principal Contractor. Held, on lifting the veil 'it's clean that there was no contract system with the Board, as the work was of perennial nature. Contractor has to be kept out; so called contract system was only a common flage. Employer-employee relationship is easily visualised, employees who have worked for more than 240 days in a year are entitled to be absorbed permanently in the Board (Para 10, 13, 18).

Secondly, F.L.R. 1990 Vol. 60 page 20 (SC (DB), Shankar Mukhiyajee & Ors. Vs. Union of India & ors.-Sec. 10 of the Contract Labour (R & A) Act 1970-it was held the Notification concerned issued by the Govt. of West Bengal prohibiting employment of Contract Labour in cleaning, stocking and other allied jobs except loading and unloading of bricks from wagons and trucks-this exception was discriminating violative of Art. 14 of the Indian Constitution, so workmen doing such job should be treated at par with and the clause was struck down.

Thirdly, 2002 LLR 449 (SC)(DB), M/s. Indian Farmers Fertilizer Co-operative Ltd. Vs. Industrial Tribunal,

Allahabad & Ors, wherein 88 workmen in question were employees of appellant or of contractor; it was held that the findings of the Industrial Tribunal and High Court that they were employees of appellant were right, so not interferences with it. (Para 5 & 6)

Fourthly, SCLJ Vol 15—101, Royal Talkies, Hyderabad & Ors Vs. Employee State Insurance Regarding Employee State Insurance Act, 1948, Sec. 2(9) 75, about Employee in connection with the work of establishment, where keeping cycle stand and running canteen are incidental or adjunct to primary purpose of the theatre, so owner of Cinema Theatre was held liable to contribute in respect of persons employed in canteen and cycle stand.

Fifthly, 2003(99) FLR 5 (SC) (DB), Mishra Dhatu Nigam Ltd. etc. Vs. M. Venkataiah & Ors, as to provisions of Factories Act, 1948, where in discharge of a statutory obligation of maintaining a canteen upon them under the mandatory provision of Factories Act in the establishment, the principal employer availed the services of a 'contractor,' the Courts have held that the Contract Labour would indeed be the employees of the principal employer and that such cases do not relate to or depend upon abolition of contract labour (Para 7).

Sixthly, 2000(87) FLR 7 (SC) (DB), G B. Pant University of Agriculture & Tech. Vs. State of U.P. the appellant was established under the U.P. Agriculture University Act, 1958. It was a residential university. It had about 14 hostels for accommodating of the students and Cafeteria for food service to the residents of the hostels and others. About 170 employees working in these Cafeteria claimed for their regularisation of the services as regular employees of the University, which was negated by the University Authority, it resulted in reference of the two disputes U/S 4(k) of the Uttar Pradesh Industrial Dispute Act. The Labour Court awarded for their regularisation with same salary as of the regular ones. The Hon'ble Apex Court upheld it, stating that democratic socialism aims to end poverty, ignorance and inequality of opportunity the socialistic concept of the society laid down in Part II and IV of the Constitution ought to be implemented in the true spirit of the Constitution (Para 10).

Seventhly, LLR 1994 SC 634, R. K. Panda & Ors. Vs. Steel Authority of India & Ors. whether the contract labourers have been the employees of the principal employer in course of time and whether the engagement and employment through a contractor is a mere camouflage and a smoke screen is a question of fact, and has to be established by the Contract Labour on the basis of the requisite material. In all such cases, the labourers are initially employed and engaged by the contractor, so at that point of time a direct link is established between the contract labourer and the principal employer, eliminating the contractor from the scene, is matter to be established on

material produced before the Labour Court and the Industrial Tribunal, the Competent Forum, is to adjudicate under the I.D. Act, It is not possible for the High Court while exercising Writ jurisdiction under Article 136 to decide such question only on the basis of the affidavits (Para 6).

Eightly, (2005 (105) FLR 1067 (SC)(CB), Manager, RBI

Bangalore

Vs.

S. Mani & Ors.

I.D. Act 1947—Sec. 25 F Effect of Provision of to be completed with—If workman had completed 240 days of service—workman at their evidence had to state specifically that they had worked for 240 days—Have to prove—Pleadings are no substitute for proof.

(Para 12)

Ninethly, F.L.R. 1990 Vol. 60 at page 20 (SC) (DR)

Shankar Mukherjee & Ors.

Vs.

Union of India & Ors.

In reference to Sec. 10 of the Contract Labour (R & A) Act, 1970, it has held the Notification concerned issued by the Government of West Bengal prohibiting employment of contract labour in cleaning, stocking and other allied jobs except loading and unloading of bricks from wagons and trucks. This exception was discriminatory, violative of Art. 14 of the Indian Constitution, so workmen doing such job should be treated at par with, and the clause was struck down.

Tenthly, 2008 AIR SCW 3996 (DB) (C), GM, ONGC, Shilcher Vs. O.N.G.C., Contractual Workers Union In respect of Reference U/S 10 of the I.D. Act, 1947, pleadings of parties and evidence produced wording of reference showed that dispute was as top regularisation of service of contractual workers, whereas pleadings, however, showed that core issue before Tribunal was with regard to status to workers as employees of principal employers; there was relevant for determinnig real scope of dispute, it was held that award of Tribunal holding workers to be employees of principal employer and granting relief of regularisation was not outside to jurisdiction.

(Para 16, 18)

Eleventhly 2011 LLR 1079(SC)(DB), Bhilwara Dugdh Utpadak Sahakari Ltd. Vs. Vinod Kr. Sharma Dead by LR & Ors at Employer-Employee Relationship.

The Labour Court had held that the respondents were not the contractor's employees but were the employees of the Appellant as upheld by the High Court that there

was implicitly subterfuge by the appellant to avoid the liabilities under various labour statutes. The Hon'ble Apex Court held no infirmity in the impugned judgement of the High Court (Para 6).

Twelvethly 2008 LLR 509 SC (DB) Hindalco Industries Ltd. Vs. Association of Engineers Workers.

It relates to the case of 27 canteen workers working for many years through the contractors who were changing but the workers remained the same, and the canteen was required to be run U/S 47 of the Factories Act, 1948; complaint for unfair labour practice on behalf of the canteen workers accepted by the Industrial Court, Hon'ble High Court confired the order since the canteen had been a statutory part of establishment of the management and the workers in canteen were carrying on the work of perennial nature; so the respondents workers were held in fact the workmen of the Appellant Management.

(Para 16, 18, 22, 26)

Thirteenly 2008 (118) FLR 1176 (Cal HC) (DB) - Eastern Coal Fields Ltd. Vs. CGIT & Ors. - Wherein Respondents workers were taken by Colliery as Clay Cartridge makers who claimed for their absorption. Tribunal held them entitled to be absorbed in regular pay roll and to be considered for regular appointment in compassionate category. They were discharging perennial duty under control and supervision of the management, enjoying the same service benefits. The Hon'ble High Court upheld it. (Para 17)

Fourteenthly, Photocopy of Award dt. 3rd Oct, 1996 (18 pages) passed by Sri Tarkeshwar Pd., then P.O., CGIT No. 1, Dhanbad related to absorption of contract labourers.

It related to the case that the workmen were engaged by the contract for removal of slurry in order to make briquetter and to load the same on trucks by using ingenuity and paper Pransations for personal gain and loss of the workmen, It was awarded by the Tribunal for their regularisation which was upheld by the Hon'ble High Court concerned in C.W.J.C.No. 199/97 (A) as also in its L.O.A.No. 214 of 1999 (R) and the same was upheld by the Hon'ble Supreme Court (C.B.) in the case of Steel Authority of India Ltd. & Ors Vs. National Union Water Front workers & Ors reported in 2001 LLR 962 Para 128.

It is remarkable to note that every ratio decidendi acts upon factum of a particular case and its marits.

11. Whereas Mr. D.K. Verma, the Ld. Counsel has argued on behalf of the Management that factual position is that no relationship of Employer and Employee exists between the management and the alleged workmen as they temporarily but intermittently worked for pipe fitting with lay-out of storing range in different penal and different time as per requirement under the contractor Md. Hussain.

It has further submitted for the management that the Hon'ble Apex Court in case of Steel Authority of India Ltd. V.N.V. Water Front Workers reported in Lab I.C. 2001 at Page 3656 held that contractor workers are not entitled to regularisation in the services of principal employer, just as held in the case of State of Karnataka Vs. Uma Devi (3) reported in 2006 SLC (L &S) 753 that absorption, casual daily wagers or adhoc employees appointed/recruited dehors the constitutional scheme of public employment on issuance of such directions by court, therefore the issuance of such directions amounting to creation of another mode of public appointment is not permissible. The verdict of the Hon'ble Apex Court in Uma Devi Case as binding upon all the Courts and Tribunals was upheld by the Hon'ble Self Court in the case of the Official Liquidator Vs. Dayanand & other reported in (2009) (1) SCC (L & S) 943. Mr. Verma, Ld. Advocate for the management has also reposed in the case of Pinaki Chatterjee & Ors. Vs. Union of India & Ors reported in 2009 (2) SCC (L & S) 259, wherein as held by the Supreme Court in view of the law laid down in Uma Devi Case that no recruitment could be made contrary to statutory requirement rules and in violation of Articles 16 & 14 of the Indian Constitution; thus the claim for regularisation on basis of engagement as daily rated casual labourers is not maintainable.

12. An adjudication in the present reference requires consideration of vital two factors:

First whether there is any relationship of employer and employee between the both the parties.

At this point, I find that the straitway denial of Md. Moin (WWD) in his Para 11 about their ever working under any contractor as contrasted with their written statement under para 7 about their deployment through intermediaries itself stands disproved, as their Extt. W. 1 and 1/1 (photocopies of the documents for Training from 20th & 13th Dec, 1996 respectively) establish only 18 of the 11 to 26 workmen contract workers to have been put to Training at the V.T.O. prior to their assignment Ext. W2/7, the photocopy of the Cap Lamp Issue Register, bearing the name of "Md. Hussain" proves the case of the management about their working under contractor Hussain, and it amounts to the irreputable admission of the workmen to that effect. The first document has one Basant and the second one has three persons Gulam Haider, Kudan and Saroj beyond the list of the workman. Moreover, the Union Representative has failed to establish the crucial point at which point of time as direct link is established between both the contract labourers and the principal employer in view of Hon'ble Court's Verdict in the aforesaid case of R.K. Panda (Supra). The aspect of employer-employee relationship stands adjudicated negative.

Secondly the factor is whether the workmen have rendered continuous service for 190 or 240 days below ground in the Mine or in any other case u/s 25 B (2)(1)(i) or (ii) of the Industrial Dispute Act 1947 respectively.

In the instant case, as per the Factory Register (Fourteen Sheets photocopies thereof-Extt.W.3 Series) is the weekly wages Register which factually denotes the number of the working days of a few workmen, not all of them for total 87 days from 15th Sept., to 27th Dec., 1997 and 9 days from 1st to 9th Jan, 1998. The documents of Weekly Wages as written on them have also unlisted 14 persons Saib Ali, Md. Gufram, Md. Akhtar Ansari, Naimuddin Mathur Thakur, Md. Saraj, Rafique, Md. Basarat, Gulam Haidar, Ali Mohammed, Md. Kalam and Gulam Shabre. It is remarkable to note that out of the listed workmen, Sl. No. 1 Moin to Sl. No. 8 Mustaque appeared to worked for 63 to 69 days, S. No. O Abdul Hamid to the rest for 4 to 44 days during the said period of 1997-1998.

Likewise the eight photocopies of the Cap Lamp Issuances of No. 5 incline (Extt. W.2 Series) reveal that out of the listed workmen Sl. No. 1 Moin to Sl. No. 12 Md. Shaffique (except Sl. No. 7 Lal Mohammad—Nil, and Sl. No. 11 Md. Nayaur were not) were issued Cap Lamps 7 to 15 days i.e. roughly 2, 8 and 3 days during the period i.e. in July 12 and Oct. 4, 1995, 1997 and on July, 17, Sept. 13 and Dec. 25, 1998 respectively. Out of the rest workmen, Sl. No. 17 Gulsharif, Sl. No.18 Ainul, Sl. No. 20 Imamul Haque and Sl. No. 22 Ravindra Kumar Das were Nil, and rest workmen were issued Cap Lamps 01-05 days only. As such it stands evident that none of the enlisted twenty-six workmen had completed their continuous service of pipe fitting for 190 or 240 days below the Mine or in any other case respectively defined under the said provision of the law. The Union has no proof of the workmen still working the job under the management rather it is clear they were casual contract labourers casually for a limited period.

In view of the aforesaid material available on the case record, I find that the argument of Mr. Verma, the Learned Counsel for the Management preponderates that of Mr. Mukherjee Learned Advocate for the Union. Hence, in the terms of the reference, it is responded as such:

ORDERED

That the Award is and the same be passed that the demand of the United Coal Wokers Union for regularisation of the job of Sri Moin and 25 other workmen engaged in Pipe Fitting work in Jarangdih Colliery of C.C.L. Ltd. Management and for providing wages and other benefits as per N.C.W.A. IV is totally improper and unjustified, as well as baseless. Hence, they are not entitled to any relief from any date.

KISHORI RAM, Presiding Officer

ANNEXURE-1**List of the workmen engaged in pipe fitting job in Jarangdih Colliery**

1. Moin
2. Shabir
3. Md. Tahir
4. Md. Imamuddin
5. Md. Salim
6. Alimuddin
7. Lal Mohammad
8. Mustaque
9. Abdul Hamid
10. Mumtaz
11. Md. Nayum
12. Md. Shafique
13. Md. Sayeed
14. Md. Mayumuddin
15. Kaum
16. Sadique Ansari
17. Gulsharif
18. Ainul
19. Sayee
20. Imamul Haque
21. Abidin
22. Ravindra Kumar Das
23. Md. Kasim
24. Mohassin
25. Md. Hadish
26. Md. Shaukaf

नई दिल्ली, 11 नवम्बर, 2013

का०आ० 2520.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 25 of 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08/11/2013 को प्राप्त हुआ था।

[सं० एल-20012/418/2000-आई आर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 11th November, 2013

S.O. 2520.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award Ref. 25/2001 of the Cent.Govt.Indus.Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of M/s. BCCL and their workmen, received by the Central Government on 08/11/2013.

[No. L-20012/418/2000-IR(C-I)]

M. K. SINGH, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD**

PRESENT: SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10(I)(d) of the I.D. Act, 1947

REFERENCE NO. 25 OF 2001.

PARTIES : General Secretary,
Dhanbad Colliery
Karmchari Sangh, Dhanbad
Vs General Manager, P.B.
Area of M/s BCCL, Dhanbad

APPEARANCES:

On behalf of the
Workman/Union : Mr P.M. Prasad, Ld.
Advocate

On behalf of the
Management : None

State : JHARKHAND

INDUSTRY : Coal

Dated, Dhanbad, the 19th Sept., 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/418/2000(C-I) dt. 25.01.2000.

SCHEDULE

"Whether the action of the management of Kenduadih Colliery BCCL in not accepting 05.10.1946, the date of birth of Shri Arjun Prasad Singh, Zamindari Supervisor and superannuating him from service with effect from 01.11.1999 is correct and justified? If not, to what relief the workman is entitled?

2. The case of workman Arjun Prasad Singh as sponsored by the Dhanbad Colliery Karmchari Sangh, Hirapur, Dhanbad is that he was employed on 07.08.1963 in

Kenduadih Colliery. His date of birth (DOB) was recorded as 05.10.1946 with his other details as required for the purpose of Form B under the Mines act, 1952. His aforesaid date of birth was accordingly recorded in his Except Form B and his Identity Card No., 57233 as issued to him by the Management, striking out any other, if written. In the year 1987 at the issuance of service excerpt under form B issued by the Management of the colliery to their workers, the birth date of the workman was recorded as 14.5.1942 and 5.10.1946 was his personal details in his aforesaid service excerpt. As per the Chart dt. 21.04.1997 issued by the EDP Section of the M/s BCCL based on the service details of the employees in Form B mentioned under the Mines Act, 1952 of hte colliery bearing under Sl. No. 44, the date of birth of the workman was recorded as 5.10.1946 as also noted in his Pay Slip for the payment of his salary for Sept., 1990. The same date of his birth was recorded as 05.10.1946 in the Certificate No. 134 as per his Matriculation Examination (Praveshika Pariksha) conducted by Hindi Vidyapith, Deoghar, (Bihar) in the year 1962 earlier than his employment in 1963. Despite all these facts, he was served with the retirement notice Ref. No. KP/99/27 dt. 10/12.04.1999 by the Management but after its cancellation, it was replaced by another notice Ref. No. KP/99/61 dt. 23.4.1993/03.05.1999 to the workman informing him of his release from the service of the Company on account of his retirement w.e.f. 01.11.1999 which was incorrect and unjustified. The retirement notice was uncalled for and without any reasonable cause, and was immature as per his age recorded in the document; the workman was to retire on 05.10.2006 after completing his age of 60 years. The management was not accpeting his Date of Birth as 05.10.1946 nor complying with the Implementation Institution (1.1) No. 76 of the National Coal Wages Agreement (NCWA) III as communicated to the coal industries vide Ref. No. CIL/NCWAI/1.1. No. 76/88/185 dt. 25th April, 1988 prior to the date of his employment. The Union sought for a direction to the management for taking the workman in employment immediately with all consequential benefits.

3. Categorically denying all the allegations of the O.P./ management, the Union in it rejoinder has stated that the date 7.6.1963 as the date of joining of the workman was accepted. His valid date of birth as recorded in his Form B was 14.5.1942. By striking off his date of birth as 1.11.1939 the management replaced with it 14.5.1942 in the service Excerpt. The question of raising an objection by the employee, therefore, unexpected before the issuance of his aforesaid Retirement Scheme. On receipt of his Retirement Notice, the objection to it as raised before the Director (Pers) on 8.11.1999 went unresponded by the Management, then the Union raised the industrial dispute before the ALC© Dhanbad; hence the present reference.

Besides the Identity Card No. 57233 issued by the Management to him bears his date of birth 5.10.1946, but not as 1.11.1939. The case of the workman in such differences in his documents ought to have been referred to the Medical Board for the correct assessment of his Date of Birth as per the direction of the JBCCI. The issuance of his Service Excerpt in the year 1987 was accepted, so his date of birth was corrected as 5.10.1946 by the Management therein. Therefore, the action of the O.P./management in that regard is unjustified.

4. Whereas with specific denials, the contra pleaded case of the O.P./Management is that workman Arjun Pd. Singh joined Kenduadih colliery on 7.8.1963. His date of birth as recorded in the colliery statutory Register Form "B".I/D Register and Service Excerpt issued (in 1987) was 1.11.1939. During the tenure of long period 7.8.1963 till the date of issuance of Retirement Notice on 23/5th May, 1999, he never protested nor raised the I.D. before the A.LC© for correction of his date of birth which has no meaning at all. His date of birth as 1.11.1939 recorded in the Form B Register of the Colliery as signed by him as a token of acceptance/ correction of the entries under Section 48(1) of the Mines act, 1952. The aforesaid statutory Register and the management had no cutting or overwriting. The management had fully followed the instruction No. 76 formulated by the JBCCI in the case. He was issued the Identity Card long back after takeover and nationalization of the colliery by the Government of India in which all the particulars including date of birth of each workman was entered, and if any wrong entry was made, he had liberty to raise an objection, but he did not do it as its column "14" meant for any objection. The decision of the Management of kenduadih to issue superannuation notice to Shri Arjun Pd., Singh to superannuate him, w.e.f. 1.11.1999 was quite justified. He is not entitled to any relief. The BCCL is a Government Company u/s 161 of the Company Act, being financed by the central government, so its employees are public servant as under Sec. 21(12) of the I.P.C.

5. The O.P./management in its rejoinder categorically denied all the allegation of the union/workman, and stated that the workman rightly already retired on 1.1.1999, being so, there is no relationship of employer-employee relationship existent in the present case. Shri Arjun Pd. Singh passed Praveshika Parikesha from Hindu Vidyapith, Deoghar, in which his date of birth was recorded as 5.10.1946, but he never raised any issue of I.D. for its correction during the long tenure of his service from 1963 to 1999. He was matriculate and signed his name in the Form B, the Statutory Register under Sec. 48 of the Mines Act, 1952 as acceptance of it. So at his 60 years of age, he rightly retired on 01.11.1999.

FINDING WITH REASONS

6. In the instant reference case, WWI Arjun Pd. Singh, the himself for the Union, and MWI Sitaram Prasad, the Personnel Manager, Gopalichak Group of Mines for the O.P./management have been respectively examined.

According to the statement of the workman, Arjun Pd. Singh (WWI) as per his original certificate of the Matriculation Examination passed from the Deoghar Vidyapith in the year 1962 (Ext. W. 1) bearing his date of birth (DOB) as 5.10.1946, his said date of birth was recorded in the official record at the time of his appointment as General Mazdoor on 7.8.1963 as also recorded in his I.D. (Identity Card-Ext. W. 2). In the year 1987, when his service excerpt (in carbon copy-Ext. W.3) issued by the management mentioned his date of birth as 14.5.1942, he though objected to it by personally striking down his date of birth recorded by the management, yet did not know which age of his was recorded in the Form B Register by the Management, But the workman in his chief itself admitted not to have raised in any objection related to the wrongly recorded his date of birth in the Original excerpt he had handed over to the management. Even then the workman claimed for entitlement to his superannuation according to his date of birth as recorded in his Matriculation certificate, as he was illegally superannuated w.e.f., 1.11.1999. The workman further stated to have submitted his dateless application/representation to the management in the year 1988 for the correction of his date of birth as 5.10.1946. The photocopy of his Mark sheet issued by the Bihar School Examination Board for Matriculation examination held in the year 1962 as admitted by the workman-marked as Ext. M. 2 (issued on 31.5.1999) Proved Arjun Pd Singh (Non-Matric), Roll Dhanbad No. 84" as failure. It clearly disproves the fact of his success in second Division in Praveshika Examination as per his Praveshika Praman Patra dt. 22.9.1962 (Ext. W.1). But the workman has also proved his two retirement notices (dt. 10.4.99 and 23.4./3.5.1999) as Ext.4 and 4/1 series respectively on behalf of the O.P./management.

7. Whereas the statement of WWI Sitaram Prasad as the Personnel Manager for the O.P./management appears to have affirmed the birth date of the workman Arjun Pd. Singh S/o Late M.D. Singh under Sl. No. 57233 at page 49 of the Form B Original Register of Kenduadih colliery was recorded as 1.11.1939 under his signature (Ext. M-5), though his date of birth has a cutting/overwriting 14.5.1942 as his correct date of birth without any initial over it under the column. To him (MWI), though as per his Matric passed from Vidyapith, the workman claimed his date of birth as 5.10.1946, he got entered his date of birth as 01.11.39 at the time of his entry of the service as also approved and accordingly recommended by the Dy. Chief Personnel Manager. P. B Area's letter to the Project Officer concerned to treat it so (Ext. M. 6). The pension papers of the workman

also bears his date of birth, accordingly his retirement, as the claim of the workman was wrong. The witness for the management (MWI) has tangibly established that the Identity card No. 57233 of the workman issued by the management carries his date of birth as 5.10.46 but not written in the pen as his I.D, was written. His service excerpt has two dates of birth one 14.5.42 and another 5.10.1946, out of which the former replaced by the latter by striking out without an initial.

8. Mr. P.M. Prasad, the Ld, Advocate for the union/workman underlining the implementation Institute No. 76 of NCWA III has submitted that the workman had passed the Matriculation examination (Praveshika Pariksha) from Deoghar Vidyapith in the year 1962 prior to his entry in the employment in Kenduadih colliery in 1963, so his date of birth 5.10.1946 as recorded in his aforesaid Matriculation would prevail over the differences in the documents of the O.P./Management in respect of it as per the Implementation Institution; as such the action of the management in immaturity superannuating him w.e.f. 01.11.1999 is quite unjustified, mala fide and illegal, so the workman is entitled for reinstatement of his service since then with all consequential benefits.

9. On perusal and consideration of the materials as adduced on behalf of the both the parties there is no dispute as to the date of workman's employment/joining on 7.8.1963. But his date of birth 5.10.1946 as recorded in his "Praveshika Praman Patra" dt. 22.9.62 issued by the Hindu Vidyapith. Deoghar, Bihar (Ext. W.1) appears to be undoubtedly false for the two reasons, firstly the aforesaid certificate bears his success, in the second division whereas his admitted copy of Mark sheet dt. 31.5.1990 issued by the Bihar School Examination Board, Patna (Ext. M.2) proves his failure secondly the factual age of the workman on subtraction of his date of birth as 05.10.1946 against his date of joining 07.08.1963 comes 16 years 10 months on the date of his employment. Not any law of the Law permits an employment of a minor anywhere.

Besides, the I.D. Card No. 57 233 of the workman (Ext. W. 2) similarly bears 05.10.1946 as his date of birth fairly written in the bigger digits in bold blue pen then in normal ones/letters. The workman seems to put in it as second factor in support of his claim which is quite baseless.

10. In fact, as per the firstly Retirement Notice dt. 10/12.04.1999 by the Project Officer (Ext. M.4), then workman was proposed of his superannuation from 14.5.1999, as his date of birth as 14.5.1939. But at the second Notice of the retirement dt. 23.4./3.5.1999 by the Project Officer concerned (Ext. M. 4/1) cancelling his first Notice as per the letter no. 1231 dt. 20.4.1999 of the Dy. Chief Personnel Manager P.B. Area, (Ext. M.6) communicated to the workman the approval of the competent authority for his date of birth as 01.11.1939 as final being the original entry in old 'B' Form register of kenduadih Colliery, the workman was to retire w.e.f.

01.11.1999 with a direction to avail of his leave and legal dues. There is not any doubt about the existence of the workman's date of birth as 01.11.1939 entered in the old "B" Form Register of Kenduadih Colliery.

In result, it is, in the terms of the reference, hereby.

ORDERED

The Award be and the same is passed that the action of the management of Kenduadih Colliery, BCCL in not accepting the date of birth of Shri Arjun Prasad Singh as 05.10.46 and in superannuating him from service from 01.11.1999 is quite just and legal. The workman is not entitled to any relief. Let the copies-one soft and one hard-of the Award be sent to the Ministry of Labour & Employment, Government of India, New Delhi for its publication in the Gazette of India.

KISHORI RAM, Presiding Officer

नई दिल्ली, 11 नवम्बर, 2013

का०आ० 2521.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कामबेटा एविएशन लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, नई दिल्ली के पंचाट (संदर्भ संख्या 75/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11/11/2013 को प्राप्त हुआ था।

[सं० एल-11012/62/2000-आई आर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 11th November, 2013

S.O. 2521.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 75/2000) of the Central Government Industrial Tribunal-cum-Labour Court No 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of M/s Combata Aviations Ltd., and their workman, received by the Central Government on 11/11/2013.

[No. L-11012/62/2000-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: CUM-LABOUR COURT-II, DELHI

Present:—SHRI HARBANSH KUMAR SAXENA,
Presiding Officer

ID No. 75/2000

Sh. Vikram Singh,
S/o. Sh. Jeet Bahadur,
R/o. 1: 78, Mangol Puri,
Delhi-110085

Versus

The Chairman/Managing Director,
M/s. Cambata Aviations Limited, IGI, Terminal-II,
New Delhi.

AWARD

The Central Government in the Ministry of Labour vide notification No. L-11012/62/2000 (C-I) dated 30/06/2000, referred the following industrial Dispute to this tribunal for the adjudication:—

"Whether the action of the Management of Cambata S/o Sh. Jeet Bahadur, Utility hand-cum-sweeper vide order dated 29.10.98 is just and legal? If not, to what relief is the said workman entitled?"

On 01/08/2000 reference was received in this tribunal. Which was register as I.D. No. 75/2000 and claimant was called upon to file claim statement within fifteen days from date of service of notice. Which was required to be accompanied with relevant documents and list of witnesses.

After service of notice workman/claimant appeared and filed claim statement on 09/11/2000. Wherein the submitted as follows:—

1. That the Labour/Claimant was appointed as U/H-cum-Sweeper in Cambata Aviations Limited, w.e.f. 22.5.1992 and on the basis of his satisfactory work, he was confirmed on the said post in due course.

2. That during the course of his employment. Labour/Claimant discharged his duties towards the management with complete devotion and single-mindedness and there was no cause of concern to him.

3. That in the month of April, 1998, it was alleged against him by the management that on 5.4.1998 when the Labour/Claimant was on duty from 2200 hours to 0700 hours at Gulf Air flight in the area of departure hall at 1st floor, Terminal-II, I.G.I. Airport, New Delhi, at about 0400 hours, the Labour/Claimant was noticed by the officers loitering in the Arrival Hall, Terminal-II, Ground floor and approaching to the Thomas Cook Currency Desk. It was further alleged that since it was not permissible to be loitering in the said area because the Labour/Claimant was not on duty i.e. on the Arrival Hall at Ground floor, he was questioned by the officer of the management and on the suspicion, the Labour/Claimant was interrogated. It was further alleged by the management that on questioning the Labour/Claimant took out a single currency note of 50 Yugoslav Dinar from his pocket and as such he was found in possession of the foreign currency. The said allegations were summed up in the charge-sheet dated 12.05.1998 in the following manner:—

(I) That an act which is prejudicial or is likely to be prejudicial to the interest and reputation of the management.

(II) Failure to observe the Air Safety Rules.

(III) Negligence and breach of duty.

4. That on the basis of the aforesaid charge-sheet and the management appointed Shri S.P. Chaudhary, Advocate as Enquiry Officer to conduct the enquiry and later on he submitted his findings, thereby proving the charges against the Labour/Claimant.

5. That during the course of the enquiry, the management filed a list of witnesses and documents. In the list of witnesses three persons viz. Capt. S.K. Bhaskar (Business Manager), Shri V.S. Khandari (Manager) and Shri Madan Lal (Driver), whereas the management produce only two witnesses and the management intentionally and with malafide intentions did not call the Driver. Shri Madan Lal, the third witness, to depose before the Enquiry Officer.

6. That the witnesses so produced by the management in the enquiry gave statement contradictory to each other in respect of the facts and circumstances of the cases.

7. That after the examination of the said two witnesses, the management did not produce the third witness, who was the eye-witness of the alleged incidence. The Labour Claimant then submitted an application dated 24-7-1998 therein that the third witness Shri Madan Pal, driver may be produced to give statement for finding out truth in the allegations levelled by the management but the management did not produce the said third witness, the driver Shri Madan Lal for the reason that the statement might not support the allegations so levelled against the Labour/Claimant. It is submitted here that the Labour/Claimant is searched by the Vigilance Supervisors (Shri Vishwajeet and Shri Gopal Krishan) but nothing incriminating found. The management had intentionally withheld them to give evidence before enquiry officer nor Enquiry Officer said in his report regarding the same.

8. That it is important to note that the Enquiry Officer rejected the application of the Labour/Claimant, and thereby failed to impart the Justice to the Labour/Claimant. During the course of enquiry proceedings.

9. That the Labour/Claimant examined himself as RW-1 and submitted that on 4/5th April, 1998 at about 3.30 a.m. while he was returning after having tea in the arrival hall near Thomas Cook Counter, the Labour/Claimant found a foreign currency and then he went to the counter to enquiry, if the note had fallen from the counter, the person at the Thomas Cook counter told him that currency note did not belong to them. The Labour/Claimant further stated that on refusal from the Thomas Cook Counter, the Labour/Claimant gave the said currency note to officers Shri V.S. Khandari and Shri Bhaskar for onward deposit. At the request of Labour/Claimant, the officers prepared a note a search memo, which the Labour Claimant requested before

the Enquiry Officer to produce the same but the management did not produce the same. It is further submitted that the Labour/Claimant is on duty from 10 p.m. to 7 a.m. in the intervening night of 4/5.4.1998. The Labour/Claimant firstly done duty at the ground floor for handling the Lufthansa Flight. After flight Lufthansa Airways left the Airport at about 2.20 a.m. and the next duty of the Labour/Claimant is to handle the next flight of Gulf Air which starts from 4 a.m. in the morning. The same fact is proved by the allocation registered as supplied by the management. The Enquiry Officer has not taken into consideration this fact. It is further submitted that where the alleged incidence took place that place does not come under the prohibited area. The prohibited area at the airport terminal is call Security Hold Area (S.H.A.) whereas this fact is well within the knowledge of the management but they intentionally and deliberately given the wrong facts in order to prove the contents of their charge-sheet.

10. That the Enquiry Officer acted in a malafide and arbitrary manner and against the principles of natural justice and not allows the Labour/Claimant to file the written arguments. The Labour/Claimant moved an application to this respect on 27.8.1998, but the same was not allowed by the Enquiry Officer.

11. That after submission of the findings by the Enquiry Officer, the Labour/Claimant received a termination order vide No. CAL/PER/421/98 dated 29.10.1998 signed by Shri N. Pocha, General Manager, Airports, thereby imposing on the Labour/Claimant penalty of removal from the service from the management with immediate effect.

12. That the enquiry held against the Labour/Claimant and the termination from service based on such illegal enquiry are totally illegal, arbitrary, unjustified and against the principles of natural justice. Besides, the same are contrary to the fact on records.

13. That enquiry is initiated on the single score that the management intentionally and with malafide motives did not produce Shri Madan Pal, driver even after putting him as a Management witness. The said witness Shri Madan Pal was the only independent eye witness to the said incidence and the management knows that nothing illegal and recovered from the person of the Labour/Claimant and this fact could have been revealed by the said Shri Madan Pal had he been examined by the Enquiry Officer. He could have been in a position to give the true fact of the incidence which is going against the story of management that is why they have intentionally and deliberately withheld him from appearing before the Enquiry Officer did not say any thing about the non production of the important witness which create doubt about his impartiality and truthfulness.

14. That the enquiry as well as the termination order are vitiated and deserved to quash on the score that the show cause notice dated 6.4.1998, it has been alleged

against the Labour/Claimant that on 5.4.1998, at around 0400 hours, you were apprehended by Shri Bhaskar (Manager-Internal Vigilance) and by Shri Khandari (Manager-Ramp Services), while you were trying to exchange Foreign Currency at Thomas Cook Counter at the Departure Levelling of I.G.I. Airport. In the entire enquiry proceedings and the statements made by the witnesses it has been alleged that the Labour/Claimant was loitering around inside the Arrival Hall of the I.G.I. Airport.

15. That it is a fact and matter of record that in the enquiry proceedings that both the witnesses examined by the Enquiry Officer, stated that nothing illegal and recovered from the person of the Labour/Claimant, but still the Enquiry Officer proved the charges against the Labour/Claimant which is totally perverse. It is further submitted that the Enquiry Officer failed to consider the fact that the charge-sheet is always based on the contents of the show-cause notice and in the show-cause notice the presence of the Labour/Claimant is shown in the Department Hall, whereas the enquiry conducted on the allegation that the Labour/Claimant was in the Arrival Hall.

16. That the enquiry has been conducted with malafide intention in as much as the management wants to throw out the Labour/Claimant for the single reason that the Labour/Claimant had played an active role in the formation of union at Delhi Airport and therefore, he became the sore of management. It is the fact the management has since its incorporation not allowed the employees to form a union for the purpose of their welfare, thus the enquiry in a way is only an eye-wash and the finding of the enquiry is perverse and is based on surmises and conjecture which deserves to be set aside and so is the Termination Order that follows the enquiry.

17. That it is submitted here that the management has withheld his dues and told him that the dues will be given after the enquiry is over but even after the enquiry proceedings over, the management did not release the dues of the Labour/Claimant and finally the Labour/Claimant sent a legal notice dated 7.6.1999 through his counsel for release of his dues. After receiving the above noted the management released the part dues and Withheld the remaining dues including the bonus etc. which the Labour/Claimant is entitled for.

18. That the enquiry has been conducted in the most flimsy manner and against the principles of natural justice and as well as the Labour/Claimant has not been given a fair opportunity to put his defence before Enquiry Officer. The Labour/Claimant has not been given a fair opportunity to put his defence before Enquiry Officer. The Labour/Claimant was not allowed to submit his written arguments, nor the Labour/Claimant was given any fair opportunity to summon the independent witness who ought to have revealed the truth.

19. That the disciplinary authority has not at all appreciated the evidence on record and without applying its mind has passed the termination order which deserves to be set aside/quashed.

20. That the Labour/Claimant has filed the claim statement before the Reconciliation Officer for adjudication there also the management adopted a very rigid approach and the Reconciliation Officer left with no other option but to refer the dispute to this Hon'ble Court for adjudication, hence the present petition.

On the basis of contents mentioned in aforesaid paragraphs Labour/Claimant prayed that the charge-sheet dated 12.5.1998 bearing Ref. No. CAL/PER/421/98, finding given by the Enquiry Officer in Enquiry report dated 11.9.1998, as well as the impugned Termination Order dated 29.10.1998 may kindly be quashed/set aside and the Labour/Claimant may kindly be reinstated in service with all consequential benefits.

Management in reply to aforesaid claim statement filed WS on 2/1/2001. Wherein Management denied the allegations of Claim statement and also mentioned additional grounds on the basis of which management prayed as follows:— "Without prejudice to the above and subject to the rights of the Management. It is submitted that in case for any reasons whatsoever, the honorable court came to the conclusion that there is a denial of reasonable opportunity or the enquiry has been conducted against the principles of the natural justice, in that event, it is respectfully submitted that the Management may be given an opportunity to lead the evidence before his honorable court in support of the charges levelled against the claimant and to sustain the order of termination".

Workman/Claimant filed rejoinder in reply of WS. Through which he denied the allegations of WS and clarified his claim.

On basis of pleadings of parties following issues have been framed by my Ld. Predecessor on 11.7.2002:—

1. Whether the enquiry was fair and legal?
2. Whether the punishment was disproportionate?
3. As per reference.

Issue No. 1 was decided by my Ld. Predecessor as preliminary issue on 13/5/2013. Which was decided in favour of Management and against the Claimant/Workman.

Against which no remedy is sought by workman Claimant. Hence order dated 23/5/2013 has become final.

In support of his case Workman/Claimant filed his affidavit in evidence and produce himself for cross-examination.

Management in support of its case filed affidavit of Captain Sh. S.K. Bhaskar and also produce him for cross-examination.

Ld. AR's of the parties confined their arguments on the point of proportionality of punishment.

I have heard the oral argument of Ld AR's for the parties on 8/8/2013.

Ld AR's also filed written arguments which are kept on file.

Ld AR's for Labour/Claimant filed photo-copy of two rulings. Through which he placed reliance on principles laid down on the point of punishment in the following rulings:—

I. Andhra Scientific Company Ltd.

Versus

Seshagiri Rao & Anr. (1987) II SC 117

Punishment-Jurisdiction of the labour to interfere with the punishment given by the management Charges against the concerned workman alleged to be misconduct under the standing orders, held by the labour court as not proved-charges, not amounting to misconduct under the provisions of the standing orders found proved-Labour court, in the circumstances, if could consider the quantum of punishment and award punitive suspension instead of the punishment of dismissal given by the management-Misconduct-Habitual negligence—What is:

2. Colour Chemical Limited

Versus

AIR 1998 SC Pg. 948

(a) Interpretation of statutes-Labour welfare legislation-Liberal construction.

(b) Meaning of Victimization-Delinquents found sleeping in wee hours of night shift in plant kept machine in running condition without inserting raw material therein Imposition of punishment of dismissal of them. Would be disproportionate and amounts to unfair labour practice being an instance of legal victimization.

(c) Industrial Disputes Act (14 of 1947), S. 11A, Sch. 2. Item 3. Reinstatement Punishment of dismissal. Shockingly disproportionate to the charges proved against the delinquents. Ordering reinstatement of workmen with continuity of service Proper. However reduction in back wages directed.

Ld AR's for the Management counter contended that the penalty of termination of service is neither harsh nor disproportionate but under the circumstances is just and proper.

Any interference in the matter would be detrimental to the interest of the Management and shall have far reaching consequences. It will send a wrong signal to other co-employees to indulge in such type of illegal activities thereby the very business of the Management of providing

Ground Handling Services shall be adversely affected. It will be a wrong signal to other co-employees to the effect that any act of thefts and omissions like in the present case, which is having wider impact would be dealt with leniently by the Management. It will also amount to rewarding workman for having committed misconduct.

CASE LAWS

The Hon'ble High Court of Rajasthan in Bhagirathmal Rainwa and the Judge Industrial Tribunal (1995[1]1.1.1960) held that impact of the delinquency on the workmen has to be taken into consideration by the court so as to arrive at a conclusion whether the decision taken by the Management is just or not and only thereafter the court can upset the punishment imposed by the employer.

The Hon'ble High Court of Madras in the case of Management of KPV Shaik Mohammad and P. Govindarajulu & Anr. (Page 111, para 7 and 13) has held that the Tribunal has no jurisdiction to convert penalty into reward by exercising the powers U/S 11A of the I.D. Act 1996 (2) LLJ to 113.

In LIC of India V.T.G. Marathe (1998[1] LLL.-967). The Bombay High Court held that the imposition of punishment was truly to be left to the Disciplinary Authority who on the one hand, was required to maintain discipline among the employees and to see that the morale of others employees is kept up and on the other, while taking disciplinary action, signal should not be sent out to the effect that any unruly behavior having wider impact would be dealt with leniently.

In Kerala Solvent Extraction Ltd. and A. Unnikrishnan & Anr. (1994[11] LLJ. 888 Para 7), the Hon'ble Supreme Court depreciated misplaced sympathy generosity and private benevolence. The Hon'ble Court took the view that it is essential to maintain integrity of legal reasoning and the legitimacy of its conclusion. Expensive Judicial mood of mistaken and misplaced compassion at the expenses of legitimacy of the process will eventually lead to mutually irreconcilable situation and denude the judicial process of its dignity, authority, respectability.

In B.C. Chaturvedi Vs. U.O.I. (1995[6] SCC 749, the Hon'ble Supreme Court in para 8 observed as under:—

"18.....The High Court/Tribunal while exercising the power of judicial review, cannot normally substitute its won conclusion on penalty and impose some other penalty. If the punishment imposed by the Disciplinary Authority or the appellate Authority shocks the conscience of the High Court/Tribunal, it would appropriately would the relief, either directing the disciplinary authority/appellate authority to reconsider the penalty imposed, or to shorten the litigation, it may itself, in exceptional and rare cases, impose appropriate punishment with cogent reasons in support thereof."

In *V. Ramana Vs. A.P.S.R. TC. & Ors.* (JT 2005 [8] SC 134) Hon'ble Supreme Court once again has held that the court would not interfere with administrator's decision unless it was illogical or suffered from propriety or was shocking to the conscience of the court in the sense that it was in defence of logic or moral standard. Only if the punishment is shockingly disproportionate it would be appropriate for the court of direct the disciplinary authority or the appellate to reconsider the punishment. Since High Court's decision did not suffer any infirmity if called for no interference.

In *Karnataka S.T.R.C. and B.S. Hullikatti* (2001[1] LLJ. 725 paras 65 to 67) the Hon'ble Supreme Court held that awarding the lesser punishment will be misplaced sympathy.

Plea that the workman was not gainfully employed during the period for which back wages is claimed the onus to prove the plea falls on the workman.

In the present case workman has neither pleaded in the statement of claim nor proved that he was not gainfully employed hence in any view of the matter workman is not entitled to reinstatement with back wages (*U.P. State Brassware Corporation Ltd. V/s. Udai Narain Pandey* 2006[1]SCC 479).

In the light of contentions and counter contentions I perused the pleadings of the parties as well as evidence of parties and principles laid down in cited rulings.

Perusal of contents of statement of claim shows that workman/Claimant has not pleaded in it that he was not gainfully employed nor proved that he was gainfully employed hence as per settled Law of Hon'ble Supreme Court workman claimant is not entitled to reinstatement with back wages.

Perusal of evidence on record shows that case of workman/claimant does not come within the ambit of minor punishment.

As case of workman/claimant comes within the ambit of major punishment so it is to be looked into whether punishment awarded to workman/claimant by management is shockingly disproportionate.

In the instant case punishment awarded to workman/claimant is of dismissal. Which is admittedly extreme punishment imposed by the Disciplinary authority on workman/claimant.

Which appears to be shockingly disproportionate hence this tribunal itself is empowered to impose appropriate punishment to shorten the litigation with Cogent reasons in support thereof.

Case of workman/claimant comes within the ambit of major punishment.

In the instant case there is single act of misconduct.

Which is some what less likely to justify dismissal of a workman than is a persistent pattern of misconduct.

Discharge as punishment is milder than the extreme punishment of dismissal though like dismissal, it also puts the contract of service to an end. In case of dismissal, the employee losses a number of benefits whereas in case of discharge only the contract of service is terminated from a particular date and the employee losses a number of benefits whereas in case of discharge only the contract of service is terminated from a particular date and the employee is not deprived of the benefits occurring to him upto that date.

In the instant case if punishment of workman/claimant is modified from dismissal to discharge that will serve the ends of justice.

Therefore in the interest of justice punishment of workman/claimant Vikram Singh Modified from dismissal of discharge.

Award is accordingly passed.

Dated: 30/09/2013

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 11 नवम्बर, 2013

कांआ 2522.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रॉयल एयरवेज लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, नई दिल्ली के पंचाट (संदर्भ संख्या 149 of 2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11/11/2013 को प्राप्त हुआ था।

[सं एल-11012/52/2003-आई आर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 11th November, 2013

S.O. 2522.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 149/2003) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the industrial dispute between the management of M/s. Royal Airways Ltd., and their workmen, received by the Central Government on 11/11/2013.

[No. L-11012/52/2003-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT - II, DELHI**

Present:- Shri Harbansh Kumar Saxena, Presiding Officer

ID No. 149/2003

Sh. Shukla Nand Samwal

Versus

Royal Airways

AWARD

The Central Government in the Ministry of Labour *vide* notification No L-11012/52/2003-IR(C-I) dated 14/11/2003 referred the following industrial Dispute to this tribunal for the adjudication :—

"Whether the action of the management of M/s. Royal Airways Limited (Formerly known as Modiluft Limited) in terminating the services of Shri Shukla Nand Samwal S/o Shri Maya Ram, Ex-Helper/Peon with effect from 5.5.1997 is just, fair and legal? If not, to what relief is the workman entitled and from which date?"

On 17/12/2003 reference was received in this tribunal. Which was register as I.D. No. 149/2003 and claimant was called upon to file claim statement within fifteen days from date of service of notice. Which was required to be accompanied with relevant documents and list of witnesses.

After service of notice workman/claimant filed claim statement on 15/04/2004. Wherein he stated as follows:—

1. That the above-mentioned Industrial dispute has been referred to this Hon'ble Court by the Assistant Labour Commissioner (Central). Office of the Regional Labour Commissioner (Central), Govt. of India, Ministry of Labour, B-3/E-3, Curzon Road, Barracks, Kasturba Gandhi Marg, New Delhi-110001 *vide* order dated 14.11.2003 over the matter of termination of the services of the workman and the terms of reference therein is "Whether the action of the management of M/s. Royal Airways Limited (Formerly known as Modiluft Limited) in terminating the services of Shri Shukla Nand Samwal, S/o Shri Maya Ram, Ex-Helper/Peon with effect from 5.5.1997 is just, fair and legal? If not, to what relief is the workman entitled and from which date?"

2. That the workman was employed as a helper/peon in the company of the Management.

3. That the workman had joined the management company on 4.10.1995 and at the time his services were terminated illegally, he was drawing the salary of Rs. 2,121 per month.

4. That the workman worked regularly, sincerely in the Management Establishment upto 05.05.1997. During the period of his service, the workman did not give a single

chance of grievance. The workman worked in the dedication. He was devoted to his commitments.

5. That on 05.05.1997 the workman was on duty, while performing his duties, the management approached the workman and asked him not to come on duty after 06.05.1997, without any notice, charge-sheet, enquiry or any valid reason and further assured the workman to come and resume duty after 15 days. When after 15 days the workman approached to the management and asked them to allow him to resume his duty, but the management further asked the workman to come after 6 months.

6. That in the month of November, 1997, the workman again approached to the management, asked them to resume the day, at this juncture of time, the management said that they will send the workman a letter then he should come and resume duty. But after this, the Management on one pretext or another adjourned the demand of the workman. On workman's every personal visits no sound response was given by the management.

7. That the management has violated the mandatory provision of Section 25-F of I.D. Act, 1947 and in accordance with the same, the management was mandatorily required to give a month's notice or a month's salary in lieu thereof and retrenchment compensation, but the management has violated the provisions of law with the sense of impunity.

8. That the workman during the tenure or his service was never charge sheeted and the management has failed to spell out any reason and muchless any reason for terminating the services or the workman.

9. That the management while terminating the services of the workman did not comply with the mandatory provisions of section 25-F of I.D. Act.

10. That the action or the Management is malafide and comes within the ambit of unfair Labour practice.

11. That the workman is unemployed and has not been able to find any job till date in spite of the best efforts.

12. That a notice dated 4/10/2000 was sent to the Management under Registered A.D. Cover, but the management has failed to comply with the same.

13. That another employee Mr. Prem Parkash, received a letter from the Management M/s. Modiluft Limited, dated 14th October, 1998 to the effect that Modiluft Limited is likely to relaunch operations very soon under the name or Royal Airways (the New Name Management) at No. 2 of the Management/respondent in the title, and further that a policy decision has been taken, to make a First offer of employment to the former employees of Modiluft Limited, subject to send the Biodata with a letter signifying his willingness to be considered for this job if required and further required him to get a clearance certificate on the enclosed paper wherein he is required to

certify that he has no claim against the company in respect of any statutory and other dues relating to Provident Fund, ESI, TDS etc.

In the enclosed certificate the certificate has been sought from the workman to the effect that he worked in Modilluft as from 04.10.95 to 05.08.97 and further that "I hereby declare that having voluntarily given up my job I have no claim whatsoever on Modiluft and further declare that I have neither filed any complaint or suit against Modiluft nor have authorized any one to do so on my behalf. My resume is enclosed."

It has been revealed that the other employees who submitted their said willingness and proforma clearance certificate giving up their rights, have been appointed by the New Management, but the workman has not been appointed so far till date.

14. That no clear reason was explained before the Conciliation Officer and he was not taken on job.

15. That the act or the management is illegal, unjustified and against the provisions Industrial dispute.

16. That the workman is unemployed ever since his illegal termination by the Management and could not get any gainful employment despite search.

On the basis of which he prayed as follows:—

(i) the workman may kindly be reinstated alongwith full back wages and continuity of service;

(ii) That the workman may be given the interest at the rate of 24% p.a. on the amount due from the management till payment.

(iii) the workman may also be awarded with bonus, overtime and other allowance.

(iv) Any other relief which this Hon'ble court deems fit and proper in the circumstance of the case may also be awarded to the workman in the interest of justice.

Against Statement of Claim Management filed Written Statement on 31/08/2005. Wherein Management denied allegation a workman as follows:—

I. That the contents of para 1 of the statement of claim is a matter of record and need to reply. However, it is denied that the terms a reference pertains to determination of fairness of legality of the termination of the workman. It is also denied that the workman is entitled to any relief as alleged or at all. It is submitted that the workman was not terminated by the Management but he abandoned the employment with management in the Month of May, 1997 and never reported for duty thereafter.

2. That the contents of para 2 of the statement of claims is a matter of record and need no reply.

3. That the contents of para 3 of the statement of claims are wrong and denied. It is denied that the services

of the workman were terminated. It is submitted that the workman was appointed to the post of Helper Peon. It is further submitted that in the year 1996, the workman was drawing a basic salary of Rs. 1200 and net salary of Rs. 1657 per month.

4. That the contents of para 4 of the statement of claims are wrong and denied. It is denied that the workman worked regularly, sincerely in the Management upto 05.05.1997. It is further denied that the workman did not give a single chance of grievance and that he worked with dedication.

5. That the contents of para 5 of the statement claim are wrong and vehemently denied. It is denied that on 05.05.1997, the management approached the workman during the course of his duty as alleged or during any other time and asked the workman to stop coming to duty after 06.05.1997. It is denied that any assurance, as alleged, was extended to the workman to come and resume duty after 15 days. It is further denied that workman ever approached the Management after the expiry of the alleged period of 15 days or that he was asked, as alleged, to come back again after six months. It is submitted that workman abandoned his employment in the month of May, 1997 and never reported on duty thereafter. The workman is making false statements and allegations merely to cover his laches in filing his fictitious claims before this Hon'ble Court. It is also submitted that there is no question of serving any notice, charge sheet or holding any enquiry against the workman as the services of the Workman were never terminated by the Management but he voluntarily abandoned his services with the management.

6. That the contents of para 6 of the statement of claims are wrong and denied. It is denied that the Management ever assured to the Workman as alleged that the Management will send a letter to the workman for resumption of his duties. It is further denied that the Workman ever approached the management as alleged or made the alleged personal visits. It is submitted that the workman is making absolutely false allegation against the Management and the workman should be put to strict proof of his allegations. It is pertinent to note that when the Workman abandoned the services without informing the Management, there is no question of giving any assurances to the Workman.

7. That the contents of para 7 of the statement of claims are wrong and denied. It is denied that the Management has violated the provisions of Section 25-F of the Industrial Disputes Act, ("Act"). It is submitted that the Workman voluntarily abandoned his services with the Management in May 1997 and such abandonment do not constitute termination of services For the entitlement of retrenchment compensation as provided in Section 25-F of the Act and therefore there is no violation of Section 25-F of the Act and accordingly there is no occasion for the Workman to claim retrenchment compensation as alleged.

8. That the contents of para 8 of the statement of claims are wrong and denied. It is submitted that there is no question of framing a charge sheet against the workman as the workman abandoned his service with the Management. Since there was no termination of services, the Management is not liable to state any reason; rather, workman is alone responsible for the consequences following abandonment of services with the Management.

9. That the contents of para 9 of the statement of claims are wrong and vehemently denied. It is denied that the Management terminated the services of the workman. It is submitted that there is no question of compliance with Section 25-F of the Industrial Act, 1947 as the workman abandoned the services of the Management and such abandonment is not envisaged under section 25-F of the Act.

10. That the contents of para 10 of the statement of claims are wrong and denied. There is no malafide or unfair labour practices on the part of the management.

11. That the contents of para 11 of the statement of claims are wrong and denied and the workman should be put to strict proof thereof. It is submitted that the Management has learnt that the workman after voluntarily abandoning, the services of the Management started gainful employment somewhere else.

12. That the contents of para 12 of the Statement of Claims are wrong and denied. It is denied that the management ever received the alleged legal notice. It is submitted that the Workman has not furnished copy of the alleged notice to the Management.

13. That the contents of para 13 of the statement of claims are not denied to the extent that letter dated 14.10.1998 was issued to earlier/former employees of the Management. Rest of the contents of para 13 are wrong and denied. It is denied that the other employees who submitted their said willingness and Proforma clearance certificate giving up their rights, have been appointed by the New Management and the workman has not been appointed. It is submitted that at the time of issuing the said letter, the Management was anticipating restart of the operations and though not legally obliged to do so, it was a gesture on the part of the Management to send a letter to all such earlier employees to give them an opportunity to be a part of such relaunching operations. However, the fact of the matter is that the Management could not restart its operations at that point of time. Moreover the said letter itself reveals that it was merely a letter seeking expression of interest from the former workmen and was not an appointment letter. As per the said letter the former workmen had to send biodata, certificate and a letter signifying his willingness to be considered for the job. The applications were to be considered on merits and the appointments were to be made afresh. It is further submitted that the workman in the

present dispute is making unsuccessful desperate attempts to make the Management liable for his own faults. The workman is trying to build up a fictitious case where he is seeking to bind the company for violation of his imaginary rights. It is further submitted that the bonafides of the Management can be seen from workman's own submission that applications from former employees are taken afresh by the Management and the same would be considered depending upon the requirement of the Management, outcome of the interviews, tests etc. discussions and based upon the requirement of the Management. However the Management cannot be asked to employ the workman who had himself abandoned the services of the Management and approached the court after delay of more than three years.

14. That the contents of para 14 of the statement of claim are wrong and denied. It is submitted that the Management has filed detailed submission before the conciliation officer.

15. That the contents of para 15 of the statement of claim are wrong and denied. The workman should be put to strict proof of his allegation of alleged violation of the Act.

16. That the contents of para 16 of the statement of claim are wrong and denied. It is submitted that the Management has learnt that the workman after voluntarily abandoning the services of the Management started gainful employment somewhere else.

On the basis of contents of aforesaid paragraph of Written Statement Management prayed that the claim of statement is liable to be dismissed with heavy cost.

Against written statement workman filed for replication on 07/11/2005. Wherein workman denied the allegation of written statement and prayed that statement of claim be allowed workman be reinstated with back full wages and continuity of service and the interest at the rate of 24% on the amount till payment be awarded. The workman may also be awarded the bonus, overtime and other allowances as envisaged under the law.

On the basis of pleadings following issues have been framed by I.d predecessor on 08/03/2007.

- (i) Whether this dispute is not maintainable as the workman has abandoned the services of the management in the year 1977 as alleged in para 1 of the preliminary objections of the written statement? OPM
- (ii) Whether the dispute is barred by laches/time? OPM
- (iii) As per terms of reference.
- (iv) Relief.

Workman in support of its case filed his affidavit in his evidence along with certain documents. On 13/05/2007.

Workman was cross-examined on 05/11/2008 by management.

Management in support of its case filed affidavit of Sh. Sanjay Sharma on 07/01/2009. He was cross-examined by Ld A/R of Workman on 24/02/2009.

Ld A/R of the parties filed written arguments.

Written arguments on behalf of the workman are as follows:—

1. That the workman was appointed as a Helper/Peon in the Management company and he joined the management company on 04.10.1995. At the time his services were terminate illegally, he was drawing the salary of Rs. 2121 per month. His salary slip is Exh. WW. 1/2.

2. That the workman worked regularly, sincerely in the Management company upto 05.05.1997. During the period of his service, the workman did not give a single chance of complaint. The workman worked in the Management with a sense of dedication. He has devoted to his commitments.

3. That on 05.05.1997, the workman was on duty. While performing his duty the Management approached the workman and asked him not to come on duty 06.05.1997, without any notice, charge sheet, enquiry or any valid reason and further assured the workman to come and resume duty after 15 days. When after 15 days, the workman approached the Management and asked the Management to allow him to resume his duty, but the management asked the workman to come after six months.

4. That in the month of November, 1997 i.e. after 6 months, as per assurances of the Management, the workman again approached to the Management, and requested the Management to allow him to resume the duty. At this juncture of the time, the management told that they will send the workman a letter and only then the workman should come and resume duty. Thereafter on workman's every personal visits no sound response was given by the management.

5. That the workman received a letter dated 14th October, 1998 from the Management, which is Exh. WW. 1/6 informing that Modiluft Limited is likely to relaunch operation very soon under the name of Royal Airways (New name of the Management) at S.No. 2 of the Managements/respondent in the title, and further stated that:

"A policy decision has been taken to make a first offer of employment to the former employees of Modiluft Ltd. For this purpose, your detailed BIODATA alongwith a letter signifying your willingness to be considered for this job, is required. We also required a clearance Certificate as enclosed wherein you are required to certify that you have

no claim against the company in respect of any statutory and other dues relating to Provident Fund, ESI, T.D.S. etc.

Thanking you, Sd/- (G.M. Hard)".

6. That the workman did not send any reply to the Management since he did not receive any dues from the Management for the period of his Service.

7. That as per letter dated 14.10.1998, the Management, did not relaunch under the name of "ROYAL. AIRWAYS" till 22.05.2005.

8. That the workman sent a demand notice dated 04/10/2000 under Regd. AD post to the Management, which is Exh. WW. I/3 which was duly received by the Management. The Ack. due Card is Exh. W.1/5. No reply to the notice was sent by the Management so far.

9. That thereafter the workman approached to the Hon'ble Assistance Labour Commissioner alongwith his statement of claim. The learned Assistant Labour Commissioner (Central), Offices of the Labour Commissioner (Central), Govt. of India, Ministry of Labour, made a reference to the following effect:—

"Whether the action of the Management of M/s. Royal Airways Ltd. (formerly) known as Modiluft, in terminating, the service of Sh. Shukla Nand Samwal son of Maya Ram, Ex-Helper/Peon with effect from 05.05.1997 is just, fair and legal? If not, to what relief is the workman entitled and from which date."

10. That the Management filed its written statement to the statement of claim of the workman taking the following grounds:—

(i) The claim of workman is not maintainable in as much as the workman abandoned the job/service of the Management in the year 1997 and thereafter never joined the services of the Management.

(ii) That without admitting anything stated in the statement of claim, it is submitted that the claim of the workman is barred by latches in as much as admittedly the workman ceased to be in employment of the management in May, 1997.

11. That the Management denied all the averments submitted by the workman and did not file any document at that time as well as while leading the evidence.

12. That from pleadings of the parties, the following issued were framed by the Hon'ble Tribunal:—

(i) Whether dispute is not maintainable as workman has abandoned his service in 1997?

(ii) Whether dispute is barred by latches/time?

(iii) As per terms of Reference.

(iv) Relief.

13. That the workman has examined himself in support of his claim. Sh. Sanjay Sharma entered in the witness box to testify facts on behalf of the management. No other witness was examined by either of the parties.

The following citation is applicable to the facts of the present cases:—

(1) 1988 (1) RLR PAGE: 340 PUNJAB & HARYANA HIGH COURT, wherein has been held that "Industrial Dispute Act, 1947 (14 of 1947) Section 10 (4) Refer-Tribunal cannot Travel outside the terms of reference".

(2) AIR 1981 SUPREME COURT 1626, wherein it has been held that "Industrial Disputes Act, 1947 (14 of 1947) S.10(4) Reference Jurisdiction of Labour Court-Tribunal cannot travel outside, terms of reference.

(3) 1LLJ SUPREME COURT CASE, page 423 in case: Civil Appeal Nos. 2100 to 2102 of 1966, Delhi Cloths & General Mills Company Ltd. Vs. their Workman and Others, wherein the Hon'ble Supreme Court has held that "Industrial Dispute Act, S. 10 (d)- Reference under-Scope and ambit of Dispute- Tribunal cannot widen the Scope of the enquiry beyond the terms of reference- Parties cannot be allowed to challenge the very basis of the issues, set fourth in the order of reference."

ISSUE NO. 1

Whether dispute is not maintainable as workman has abandoned his service in 1997?

The witness of Management admitted at the time of cross-examination that the Management closed its business/workman in the year 1996 and once the workman had abandoned the service, it is admitted fact that workman was working, till 5/05/1997 with the Management Company and never abandoned his Service of his own. The Management did not issue a single letter as well as charge sheet to the workman for his abandoning the job and his name struck off from the Muster Roll. Please sheet:

1993 S.C. PAGE 259 CASE: D.Y. Yadav.... Vs.... J.N. A. INDUSTRIAL LTD. wherein the Hon'ble Supreme Court has held "A Labour-Law- Termination of Service-Nature Justice- Right of Private employer to terminate Service under Standing Orders- Certified Standing Orders have statutory force and therefore same must be in consonance with principles of nature justice and mandates of Arts.14 and 21/Automatic termination under Certified Standing order on absence without or beyond the period of Sanctioned leave for more than 8 days- Principles of nature justice and duty to act read into the Standing Orders. Hence termination under the Standing Orders without holding any domestic enquiry or affording any opportunity to the workman, help violative of principles of nature justices, Act. 14 and 21 of the Constitution and S.25-F of I.D. Act- Relief reinstatement with 50 per cent back wages order on facts-Administrative

Law --Constitution of India, Arts. 14 and 21- Industrial Disputes Act, 1947, S. 25- F."

(ii) VIII 2000 SLT 361, S.C. Cases:

M/s. SCOOTER INDIALTD... Vs.. MOHD. YAQUB & ORS.

Wherein it has been held that:

"LABOUR LAW: Retrenchment: Provisions of Law not followed: Standing, Order 9.03.12 could not be used for Terminating Services: Principles of Natural Justice to be Complied with- Labour Court in its award accepted respondent's case that he had not been allowed to join duty- Respondent in his evidence stated that even though he personally met Chief Personnel Officer, he was not allowed to enter premises- In spite of slip he was prevented from joining duty- This showed respondent had reported for work- As against this appellant had not led any evidence to show that respondent had not reported for duty- Evidence of Senior Time Keeper of appellant established that workman had worked for more than 240 days within period of 12 calendar months immediately preceding date of termination of service-Labour Court came to conclusion that there was retrenchment without following provisions of Law-As workman not allowed to join duty, Standing Order 09.03.12 could not be used for terminating his service- Decisions of Labour Court and High Court correct-Upheld."

(iii) 2010(117) DRJ 433 DELHI HIGH COURT CASE: ANIL CHUTLANI.. VS.. OIL & NATURAL GAS CORPORATION.

ISSUE NO. 2

Whether dispute is barred by laches/time?

Article 137 of Schedule to Limitation Act not applicable to proceedings under I.D. Act.

(i) CA NO. 2157/99, 08.04.1994 LLJ SC page 1260.

(ii) LLJ 2000 page 1080SC.

Industrial Dispute Act 1947-Section 25-F Termination of Services-Termination in violation of Mandatory retirement of law.

The workman/claimant served the company upto the end of May, 1997 and raised demand for reinstatement in service on 04.10.2000. Therefore, out of these facts, it is apparent that after about 3 years, claimant came out of slumber and made a demand for reinstatement in services. At the cost of repletion, it is said that no period of limitation is proved in the Act to raise a dispute before the Conciliation Officer. Appropriate Government is supposed to consider the case on its merits and then to refer the same adjudication. Undoubtedly period of 3 years was spent by the claimant in hibernation but period would not prevent him from seeking redressal of his grievance.

ISSUE NO. 3

As per terms of reference.

ISSUE NO. 4**Relief:**

It is prayed that the workman be allowed the reinstatement alongwith entire back wages under provisions of Minimum Wages Act, 1948 prevalent from time to time as per judgment of the Hon'ble High Court in the case titled as Swami Nath Mehto. Vs. The Management of Hotel Kanishka and another, decided on 10.03.2010 W.P(C) No. 7600/2000.

In reply to aforesaid written Argument of the workman management also filed written arguments as follows:

1. The present statement of claim is not maintainable as the workman himself abandoned the services of Management in the year 1997 and thereafter never joined the services of the management and the Management has learnt that workman after voluntarily abandoning the services of the Management started gainful employment elsewhere.

2. It is submitted that the workman was appointed as a 'Helper peon' by the earlier management i.e. M/s. Modiluft Ltd. *vide* letter of intent dated 25.09.1998 w.e.f. 04.10.1995. It is submitted that the workman did not report for his duty from the month of May, 1997 onwards and thus, voluntarily abandoned his services. It is submitted that the background pertaining to the present case needs to be specified in order to appreciate the issue of abandonment. It is submitted that from November, 1996 the operations of the flights of the earlier Management i.e. M/s. Modiluft Ltd. were suspended due to non renewal of the No Objection Certificate by the Ministry of Civil Aviation. Accordingly, a number of employees including the claimant herein, fearing that the company would be closed down, started looking for alternative employment and thus during this period the company experienced may of its employees abandoning the services. It is submitted that as the abandonment of services by some of its employees did not have any adverse effect on the management and as in fact the management respected the right of the workman to look for greener pastures, the management did not initiate any action.

3. Employer not obligated to give any notice or conduct any enquiry with respect to an abandoned workman.

(i) It is submitted that the employer is not obligated to hold an enquiry into the abandonment of the services by the workman and on the contrary it is the workmen which is required to prove that his services were terminated by the employer for some reason or without assigning any reason. Furthermore, the Hon'ble Court has also held that

if the employer does not consider the abandonment of service or leaving, the service by a workman as a misconduct, the law cannot force the employer to consider such abandonment as a misconduct and hold an enquiry. In this regard, kindly refer to the judgment of the Hon'ble Delhi High Court passed in the case of Diamond Toys Co. (P) Ltd. Vs. Toofani Ram and Anr. Wherein the Hon'ble High Court has held as follows:

"6. It is commonly known that a person, who is working in the industry, keeps on trying for better jobs and better opportunities. The moment he gets better job, he is free to leave his previous employer. The industrial law does not require him to pay any compensation to the employer while leaving his job, as the industrial laws require an employer to pay retrenchment compensation when employer wants to terminate the workman. Thus, there are no fetters on the workman on leaving the job while there are fetters on the employer in terminating the service of an employee. If a workman leaves his job all of a sudden and stops attending the workplace of the employer, Industrial Dispute Act does not put any obligation on the employer to call back the workman and request him to come and join his duties. Such a request can be made by the employer only when employer considers that a useful workman should not leave the job or where a workman is governed by certain rules and regulations under State employment and the employer is supposed to hold an enquiry under the service rule before termination of service of an employee. Where the workman is free to leave and join another employer without even a notice and without obtaining a no objection from his employer, the employer cannot be compelled to call such a workman for joining the duties or to conduct an enquiry into the absence of the workman and then terminate his services. Leaving the services of an employer by the workman is a valid mode of his abandonment and there is no illegality attached to a workman leaving the services of his previous employer and joining another employer. If the employer does not employer and joining another employer. If the employer does not consider the abandonment of service or leaving the service by a workman as a misconduct, the law cannot force the employer to consider such abandonment as a misconduct and hold an enquiry. Misconduct of an employee is the one which an employer considers as the misconduct. An enquiry is required to be held only where an employer intends to impose punishment on the employee for an alleged misconduct. If an employer does not intend to impose any punishment on the employee and considers that if the employee has left his service, let it be so, the law cannot the compel employer to hold an enquiry and punish an employee for the misconduct.

7. I consider that it was not necessary for the employer to hold an enquiry into the abandonment of the service by the respondent. It was for the respondent to prove that his services were terminated for some reasons

by the employer or without any reason by the employer. The respondent has taken a stand which was found to be false. Under these circumstances, the Labour Court's conclusion that it was a case of retrenchment is perverse.

Annexed herewith and marked as ANNEXURE A is a copy of the Judgment passed by the Hon'ble Delhi High Court in *Diamond Toys Co. (P) Ltd. Vs. Toofani Ram and Anr.*

It is thus amply clear that it is the workman which is required to show that his services have been terminated as alleged. However, in the present case the workman has not placed on record a single document to show that his services were terminated by the Management. Furthermore, the workman had never raised any issue of termination prior to raising the claim before the Conciliation Officer. It may be noted that the Claimant has also failed to provide any documents on record to show that he has raised issue of termination before the Management Company prior to making the claim before the Conciliation Officer. It may also be noted that the claim before the Conciliation Officer was made 3.5 years after the alleged termination of service.

(ii) Furthermore, it may also be mentioned that the Claimant in his claim before this Hon'ble Tribunal has stated that the management on 05.05.1997 had approached the workman and asked him not to come on duty after 06.05.1997 and assured the workman that he can come and resume duties after 15 days. However, in his cross-examination the workman has admitted to the contrary wherein he has stated that he was not asked by the management to come and resume the duties after 15 days. Thus, there is clear contradiction in the stand taken by the Claimant which fact clearly goes to show that the present claim raised by the workman is malafide and based on falsehood.

(iii) The Hon'ble High Court of Delhi in the case of *Ram Jatan Tripathi Vs. The Management of Universal Security and Detective* has held that while deciding the issue of termination, the issue of abandonment cannot be escaped. The court further held that the workman alleges that his services were terminated he has to show that the employer did not allow him to perform his duty without giving him any written termination order.

The Court also observed that it is not uncommon that a workman who abandons his job also takes a stand that his services were terminated by the employer. The relevant part of the said judgment is reproduced as under:

"7.1 consider while deciding, the issue of termination, the issue of abandonment cannot be escaped. The termination is a deliberate act on the part of employer by which services of an employee are brought to an end. The services of an employee also come to an end if he stops reporting for duty. Despite stopping to attend his duties he can take the stand that his services were terminated. In such a case a workman has to show that the employer did

not allow him to perform his duty without giving him any written termination order. If the stand was taken by the employer is that he had not terminated the services and it was the workman who, abandoned the service and if the workman alleges oral termination by the employer or alleges that he was not allowed to join the duties, the Tribunal cannot in order to decide the issue of termination in that context will have to decide whether the employer refused duties to the workman and did not allow the workman to join the duties or it was the workman who did not report for duty. It is not uncommon that a workman who abandons his job also takes the stand that his services were terminated by the employer. I consider a Tribunal cannot close its eyes to such facts while deciding the issue of termination and the Tribunal while deciding legality or illegality of the termination can come to a conclusion that there was no termination at all and it was the workman, who had abandoned the service. In the present case, while the workman had taken the stand that he was terminated, the employer placed on record the letters written by him to workman and also addressed to Labour Commissioner offering the workman to join his duties but the workman failed to join the service. The Tribunal after considering entire evidence came to conclusion that it was a case of abandonment of service. In my opinion the issue of termination included the issue of abandonment of services by the workman. Abandonment of service is one of the facets of termination.

Annexed herewith and marked as ANNEXURE B is a copy of the Judgment passed by the Hon'ble Delhi High Court in *Ram Jatan Tripathi Vs. The Management of Universal Security and Detective*.

4. The Falsity of the claim is evident from the unreasonable delay in initiating the same.

It is submitted that admittedly the Claimant has not been in the service of the Respondent Company since May, 1997. However, the Claimant for the first time alleged the issue of termination at the time of raising the claim before the Conciliation Officer in December, 1997 i.e. after a period of more than 3.5 years. In this regard, kindly refer to the judgment of the Hon'ble Supreme Court passed in the case of *Chief Engineer (Construction) Vs. Keshava Rao (D)* by LR. JT 2005 (3) SC 451 (At Paras 2, 4-6, 11 & 15), wherein the Hon'ble Supreme Court has held that delay of even a period of one year and five months for asserting the factum of termination does not appear to be reasonable.

Annexed herewith and marked as ANNEXURE C is a copy of the Judgment passed by the Hon'ble Delhi High Court in case of *Chief Engineer (Construction) Vs. Keshava Rao (D)* by LR. JT 2005 (3) SC 451.

5. It is submitted that the Claimant has also sought to erroneously place reliance the letter dated 14.10.1998. It is submitted that the said letter was issued by the Management as the management was anticipating the

restart of its operations and though not legally obliged to do so, as a gesture of goodwill, the management sent a letter to its earlier employees to give them an opportunity to be part of the relaunching operations. As is evident from the perusal of the letter, the said letter was merely a letter seeking expression of interest from the workman and was not an appointment letter. As per the said letter former workman had to send biodata, certificate and a letter signifying his willingness to be considered for the job and the management was to consider the applications on merit and accordingly decide. It is submitted that the said letter was only a gesture of goodwill and was not a legal or contractual obligation which can be enforced against the management. Furthermore, the Claimant admittedly never replied in accordance with this letter.

6. It is submitted that as the workman himself abandoned the services of the management, there is no question of compliance with the provisions of section 25-F of the Industrial Disputes Act, 1947 pertaining to retrenchment. Further, there is also no question of services with back wages or any other relief as allegedly claimed.

After written argument Ld A/R of the parties also orally argued.

Question of determination in the instant case is whether provision of Section 25-F Industrial Dispute Act has been complied with or not because this section applies to ad hoc temporary employees also, if they have worked more than 240 days in a year continuously immediately preceding the order of termination of service.

Provision Section 25-F Industrial Dispute Act is applicable eveing to a daily rated workman.

Illegality of, are irregularity in, the making of appointment cannot be ground to refuse to follow the provision of Section 25-F Industrial Dispute Act.

It is proved fact that workman/claimant Sh. Shukla Nand Samwal remained in continuous service of management since 4.10.95 to 05.05.1997.

Thus about 18 years had lapsed since termination of workman/claimant without compliance with 25-F Industrial Dispute Act.

So, workman/claimant is entitled for monetary compensation in lieu of reinstatement because the Lordship of Hon'ble Supreme Court awarded monetary compensation in lieu of reinstatement in case of Rolston John Vs. Industrial Tribunal Court/Labour Court 1995 SCC (L&S) 142.

Aforesaid principle laid down by Hon'ble Supreme Court applies with Full force in the instant case.

On the basis of aforesaid discussion I am of considered view that present Industrial dispute is

maintainable as workman/Claimant has not abandoned his service.

His dispute is not barred by latches/time. So reference made to this Tribunal is decided in favour of workman/claimant and against the Management M/s. Royal Airways Limited (Formerly known as Modiluft Limited).

I am also of considered view that payment of a sum of Rs. 50,000/- (fifty thousand only) by way of damages as compensation to the workman/claimant by the Management after expiry of period of limitation of available remedy against Award. That will meet the ends of Justice.

Dated : 08/10/2013

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2013

का०आ० 2523.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, धनबाद के पंचाट (संदर्भ संख्या 09 का 2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/11/2013 को प्राप्त हुआ था।

[सं एल-20012/157/2007-आई आर (सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 13th November, 2013

S.O. 2523.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 09/2008) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanban as shown in the Annexure in the industrial dispute between the management of E.J. Area of M/s. BCCL, and their workmen, received by the Central Government on 13/11/2013.

[No. L-20012/157/2007-IR (CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of reference U/s 10 (1) (d) (2A) of
I.D. Act. 1947.

Reference No. 09 of 2008

Employer in relation to the management of E.J. Area of
M/s. BCCL

AND

Their workman

PRESENT : SRIR.K. SARAN, Presiding Officer

Appearance :

For the Employers :- Sri U.N. Lal, Advocate.

For the Workman :- Sri M.N. Rewani, Advocate.

State: Jharkhand.

Industry:- Coal.

23/9/2013

AWARD

By Order No. L 20012/157/2007-IR (CM-I) dt, 03-03-2008 the Central Government in the Ministry of Labour has, in exercise of power conferred by clause (d) of Sub-section(1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of Bhowra (N) UG Mines of M/s. BCCL in dismissing the service of Shri Rakhohari Bouri, M/Loader *w.e.f.* 07/06/2005 is justified? If not, to what relief is the concerned workman entitled?"

1. After receipt of the reference, both parties are noticed. They filed their respective claim statements, rejoinder, documents. It is a case of dismissal and departmental enquiry conducted by the enquiry officer held fair and proper, by this court. The charges against the workman is that he remained absent continuously in duty and was worked. But the practice continued. Seeing the condition of the workman, observing the under ground mining hazardous, this Tribunal feels that one more chance to be given to the workman.

2. Therefore, the workman be taken into service as if that his appointment is fresh appointment. The workman be given fresh appointment within three months from the date of publication of Award.

R.K. SARAN, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2013

कांआ 2524.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, धनबाद के पंचाट (संदर्भ संख्या 29 का 2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/11/2013 को प्राप्त हुआ था।

[सं एल-20012/30/2009-आई आर (सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 13th November, 2013

S.O. 2524.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 29/2009)

of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure in the industrial dispute between the management of E.J. Area of M/s. BCCL, and their workmen, received by the Central Government on 13/11/2013.

[No. L-20012/30/2009-IR (CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD**

IN THE MATTER OF A REFERENCE U/S 10(1)(D)(2A)
OF I.D. ACT, 1947.

Ref. No. 29 of 2009

Employers in relation to the management of E.J. Area,
M/s. B.C.C.L. and

Their workmen.

Present : SRI RANJAN KUMAR SARAN,
Presiding Officer

Appearances :

For the Employers : Sri U.N. Lal, Advocate

For the Workman : Sri N.M. Kumar, Rep.

State:-Jharkhand

Industry:-Coal

Dated. 17/9/2013

AWARD

"By Order No. L-20012/30/2009-IR-(CM-I), dt. 13/05/2009, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal.

SCHEDULE

"Whether the action of the management of Sudamdih Shaft Mines under E.J. Area of M/s. BCCL in dismissing Shri Alakh Bhuia M/Loader from the services of the company *w.e.f.* 03/09/2004 is justified and legal? To what relief is the workman concerned entitled?"

2. The case is received from the Ministry of Labour on 19.05.2009. After notice, both parties appeared. The Sponsoring Union/workman files their respective written statement on 06.04.2010, counter and their documents also filed.

3. While hearing the case preliminarily, it is seen the workman has been dismissed on the ground of continuous absence from duty. The work under the mines hazardous, therefore it is felt to employ the workman as a fresh workman. His claim for continuous employment and back wages is denied hereby.

4. Considering the facts and circumstances of this case, I hold that the workman Sri Alakh Bhuia M/Loader, be taken in service as fresh workman within 30 days after

publication of award in the gazette Implementation or non implementation of the award be intimated to the undersigned.

This is my award.

R.K. SARAN, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2013

का०आ० 2525.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, धनबाद के पंचाट (संदर्भ संख्या 121 का 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/11/2013 को प्राप्त हुआ था।

[सं० एल-20012/55/2001-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 13th November, 2013

S.O. 2525.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 121/2001 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Dhanbad as shown in the Annexure in the industrial dispute between the management of M/s. BCCL, and their workmen, received by the Central Government on 13/11/2013.

[No. L-20012/55/2001-IR (C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD

IN THE MATTER OF A REFERENCE U/S 10(1) (D) (2A)
OF I.D. ACT, 1947.

Ref. No. 121 of 2001

Employers in relation to the management of Katras Area
of M/S. B.C.C.L.

AND.

Their workmen.

Present:- SRI RANJAN KUMAR SARAN,
Presiding Officer

Appearances:

For the Employers. :- None

For the Workman. :- None

State :- Jharkhand.

Industry:- Coal.

Dated 30/9/2013

AWARD

By Order No.L-20012/55/2001-(C-I), dated 22/05/2001, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of Keshalpur Colliery of M/s. BCCL, in dismissing Sri Murtaja Ansari, M/s. Loader from the service of the company w.e.f. 01.07.91 is justified? If not, to what relief the concerned workman is entitled?"

2. After receipt of the reference, both parties are noticed. But appearing for certain dates, none appears subsequently, case remain pending, it is felt that the dispute between the parties have been resolved in the meantime. Hence "No dispute" award is passed communicate.

R.K. SARAN, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2013

का०आ० 2526.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, धनबाद के पंचाट (संदर्भ संख्या 40 of 2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/11/2013 को प्राप्त हुआ था।

[सं० एल-20012/89/2009-आईआर (सीएम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 13th November, 2013

S.O. 2526.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 40/2010 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the management of Mugma Area of M/s. ECL, P.O.-Mugma, and their workmen, received by the Central Government on 13/11/2013.

[No. L-20012/89/2009-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD

IN THE MATTER OF A REFERENCE U/S 10(1) (D) (2A)
OF I.D. ACT, 1947.

Ref. No. 40 of 2010

Employers in relation to the management of Mugma
Area, M/s. E.C.L.

AND.

Their workmen.

Present:- SRI RANJAN KUMAR SARAN,
Presiding Officer

Appearances:

For the Employers:- Sri D.K. Verma, Advocate

For the workman. :- Sri D. Mukherjee, Advocate

State:- Jharkhand.

Industry:- Coal.

Dated. 16/9/2013

AWARD

By Order No. L-20012/89/2009-IR-(CM-I), dated 24/06/2010, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of Shyampur "A" Colliery of M/s. ECL, in dismissing Sri Badri Pandey from the services of the company *w.e.f.* 22.04.1996 is legal and justified? To what relief is the claimant entitled?"

2. The case is received from the Ministry of Labour on 05.07.2010. After notice both parties appeared, the workman files their respective written statement on 21.07.2010, counter and their documents filed.

3. It is a case of dismissal and in the departmental enquiry, the delinquent's charges were not proved. But the authority dismissed the workman. In the meantime the workman has been retired. Since the delinquent charges have not been proved, it is ordered by this Tribunal that has dismissal is improper.

4. Considering the facts and circumstance of this case, I hold that the action of the management of Shyampur "A" Colliery of M/s. ECL in dismissing Sri Badri Pandey from the services of company *w.e.f.* 22.4.1996 is not legal and justified. Hence the workman be reinstated in service with 25% (twenty five percent) back wages. Implementation or non implementation of the award be intimated to the undersigned.

This is my award.

R.K. SARAN, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2013

का०आ० 2527.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी सी एल के

प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 1, धनबाद के पंचाट (संदर्भ संख्या 20 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/11/2013 को प्राप्त हुआ था।

[सं. एल-20012/5/2007-आईआर (सीएम-I)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 13th November, 2013

S.O. 2527.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 20/2007 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the management of Bastacblila Area of M/s. BCCL, and their workmen, received by the Central Government on 13/11/2013.

[No. L-20012/5/2007-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

IN THE MATTER OF A REFERENCE U/S 10(1) (d) (2A)
OF I.D. ACT, 1947.

Ref. No. 20 of 2007

Employer in relation to the management of Kustore Area,
M/s. B.C.C.L.

AND

Their workmen.

Present:- Sri R.K. Saran, Presiding Officer

Appearances:

For the Employers:- Sri D.K. Verma, Advocate

For the Workman. :- Sri U.P. Sinha, Advocate

State:- Jharkhand.

Industry:- Coal.

Dated. 24/9/2013

AWARD

By Order No. L-20012/5/2007-(CM-I), dated 26/8/2007, the Central Govt. in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of Burragarh Colliery of M/S BECL, in dismissing Bsarika Singh, Security Guard from the service of the company w.e.f. 22.04.2003 is justified & legal? If not, to what relief is the concerned workman entitled?"

1. After receipt of the reference both parties are noticed. They filed their respective claim statement and rejoinder. It is case of dismissal and the, preliminary enquiry conducted by the enquiry officer held fair and proper.

2. It is argued by the management counsel that the workman, impersonated, in the name of another employee and worked, and after detection and enquiry, the workman was dismissed, on the other hand the learned counsel for the workman, submitted that it was not proved, as to whom the workman impersonated. After all the workman remained absent during the enquiry proceeding by the department.

3. On query learned counsel for the management submitted that the workman already rendered twenty years of service with unblemished carrier. In the meantime the workman has already crossed his retirement age. Therefore the date of dismissal of the workman be treated his premature retirement and he be given required benefits that accrued, to him.

R.K. SARAN, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2013

का०आ० 2528.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 दिसम्बर, 2013 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप धारा (1) और धारा-77, 78 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

केन्द्र	क्षेत्र के अंतर्गत आने वाले निम्न राजस्व गाँव
कृष्णगिरी जिले में	1. अवलपल्ली
होसर तालुक	2. चेन्नसंदिरम
बागलुर,	3. जीमंगलम
के परिसीमा क्षेत्र	4. कालस्तीपुरम
	5. नल्लूर

[सं० एस-38013/73/2013-एस०एस० 1]

जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 18th November, 2013

S.O. 2528.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government

hereby appoints the 1st December, 2013 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil-Nadu namely:—

CENTRE	AREA COMPRISING THE REVENUE VILLAGES OF
Peripheral areas of Bagalur, Hosur Taluk, Krishnagiri District	1. Avalapalli 2. Chennasandiram 3. Jeemangalam 4. Kalasthipuram 5. Nallur

[No. S-38013/73/2013-S.S. I]

GEORGEKUTTY T.L., Under Secy.

नई दिल्ली, 18 नवम्बर, 2013

का०आ० 2529.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 दिसम्बर, 2013 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप धारा-(1) और धारा-77, 78 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

केन्द्र	क्षेत्र के अंतर्गत आने वाले निम्न राजस्व गाँव
दिंडुक्कल जिला	1. निलक्कोट्टै
निलक्कोट्टै एवं पषनी तालुक में निलक्कोट्टै	2. एत्तिलाडु 3. विलाम्पट्टी 4. सिर्दगळ नत्तम 5. पल्लपट्टी 6. मट्टप्पारै 7. सिलुक्कुवारपट्टी 8. कोडांगिनायक्कम्पट्टी 9. सेंगट्टाम्पट्टी 10. मुसुवनूत्तु 11. कल्लडिपट्टी 12. सेवुगम्पट्टी 13. नूत्तुलापुरम निलक्कोट्टै तालुक 14. सित्तरेवु 15. ताप्पंपट्टी पाषनी तालुक

[सं० एस-38013/74/2013-एस०एस० 1]

जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 18th November, 2013

S.O. 2529.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 2013 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

CENTRE	AREA COMPRISING THE REVENUE VILLAGES OF
Nilakottai,	1. Nilakottai
Palani & Nilakottai	2. Ethilodu
Taluk, Dindigul	3. Vilampatty
District	4. Sithargalnatham
	5. Pallapatty
	6. Mattapara
	7. Silukkuvarpatty
	8. Kodanginaickenpatty
	9. Sengattampatty
	10. Musuvanoothu
	11. Kalladipatty
	12. Sevugampatty
	13. Noothulapuram Nilkottai Taluk
	14. Sitharevu
	15. Thoppampatty Palani Taluk

[No. S-38013/74/2013-S.S. I]

GEORGEKUTTY T.L., Under Secy.

नई दिल्ली, 18 नवम्बर, 2013

का०आ० 2530.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एअर इण्डिया लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, मुम्बई के पंचाट (संदर्भ संख्या 2/31/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/10/2013 प्राप्त हुआ था।

[सं० एल- 11012/123/1999-आईआर (सी-I)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 18th November, 2013

S.O. 2530.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 2/31/2000) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, No. 2, Mumbai as shown in the Annexure, in the industrial

dispute between the management of Air India Limited and their workmen, received by the Central Government on 18/11/2013.

[No. L-11012/123/1999-IR(C-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2, MUMBAI

PRESENT: K.B. Katak, Presiding Officer

Reference No. CGIT-2131 of 2000

Employers in relation to the management of Air India Limited

The Managing Director
Air India Ltd.
Air India Building
Nariman Point
Mumbai-400021.

AND

Their workman

Mr. D.N. Vinjuda
B-18, Mahalaxmi
B.N. Rathod Marg
Tulsiwadi
Mumbai-400 034.

APPEARANCES:

For the Employer : Mr. L.L. D'Souza,
Representative.

For the Workman : In person.
Mumbai, dated the 15th July, 2013

Award Part-I

1. The Government of India, Ministry of Labour & Employment by its Order No.L-11012/123/99-IR (C-I) dated 07/03/2000 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication:

"Whether the action of the management of Air India Ltd., Mumbai in dismissing the services of Mr. D.N. Winjuda, Sr. Handyman w.e.f. 11.12.1997 is legal and justified? If not to what relief is the workman concerned entitled?"

2. After receipt of the reference notices were issued to both the parties. In response to the notice the second party workman filed his statement of claim at Ex-9.

According to the workman he is permanent employee of the first party recruited on 12/10/1982 as a Sweeper, Inflight Service Department, Mumbai. In 1990 he was promoted as Sr. Handyman (Safai) and was confirmed in the post. On 27/10/1993 he had gone to Dubai as a passenger by purchasing regular ticket to purchase a colour TV and clothes. After three days he returned back. He collected the amount by encashing his savings certificate and pledging ornaments of his wife and some amount out of his savings. He returned on 31/10/1993. He paid customs duty on the goods he had imported. Same day evening at about 6.00 p.m. some officers from AIU came to his house and started questing him. They became violent and started assaulting him in presence of wife and children. They then took him to the customs office and obtained his signature on the documents. They had also brought Mr. Solanki with them. They had taken search of his house. Nil Panchnama was prepared. They had obtained signature of his wife without reading the contents. Nothing was recovered from his house. However they have falsely shown that some gold bars were found in the cupboard. Three days thereafter the workman was arrested under some false charges. The workman was put under suspension by order dt.12/11/1993 with immediate effect. A charge sheet was issued to him dated 23/02/1994 alleging that during search in presence of Mr. L.R.Solanki, 92 gold bars of different makings were found in the locker of steel cupboard. It was alleged that the workman had concealed the gold bars in commode of first class and was charged for misconduct for breach of law, dishonesty with employers business and for act of subversive of discipline. He requested the first party not to initiate inquiry until he received the copies of the papers from Customs Department. However his request was turned down.

3. According to him the joint inquiry was commenced against he himself Shri Godambe, Assistant Cabin Supervisor, and Shri L.R. Solanki, Handyman. He filed his reply. However kept his right to file a detailed reply after receipt of papers from Customs Office. The committee refused to bring the panch witnesses Mr. Shrivatsan Iyengar and Surendra Chouhan and bring their own witnesses. E.C. under the guise of clarification helped the management story by knocking out favourable answers from the witnesses. According to him Mr. Solanki and he told before the Inquiry Committee that the panchnama was prepared in the office and no gold bar was recovered from his house. He has not brought any gold from Dubai and no gold was recovered from house. There was no first class toilet in the airbus he had travelled. There was no report of contraband rules in aircraft. The inquiry conducted was an empty formality. It was not conducted as per the rules and regulations. The inquiry was not conducted with open mind and EC sought clarification from the witnesses before cross examination. The panchnama is a fabricated document. There is violation of natural justice in conducting the inquiry. The findings of the Inquiry officer are perverse.

There is no evidence that the gold bars were found in the house of the workman. The inquiry is not fair and proper and findings of the IO are perverse. On the basis of report of IO the workman was dismissed from service. Therefore workman has raised the industrial dispute before ALC (C). As conciliation failed, on the basis of the report of ALC(C), the Labour Ministry has sent the reference to this Tribunal. The workman therefore prays that the inquiry be declared not fair and proper. The findings of the IO be declared perverse. His punishment of termination be set aside and he be directed to be reinstated in service with full back wages.

4. The first party resisted the statement of claim of the workman vide its Written statement at Ex-11. According to them the Customs Intelligence Officers with search warrant took search of residence of the workman in presence of two panchas. During search, in the cupboard locker the customs officers recovered two cloth bundles. On examination thereof they found 92 gold bars of 10 tolas each weighing totally 10,727.2 grams valued at Rs.38,56,421/- in international monetary value and Rs. 48,70,140/- in local monetary value. The gold was seized under panchnama. The workman confessed to have given the gold bars by Shri L.R.Solanki and Mr. S.V. Godambe working in the catering/cabin service of the Airline. The workman has travelled as passenger and smuggled the gold into India. Therefore he was arrested alongwith others and apart from criminal case, departmental inquiry was initiated against them. The workman was allowed to represent by defence counsel of his choice. He was given full and fair opportunity to defend his case. He was also offered an opportunity to lead evidence in his defence. The committee found the workman guilty of all the charges leveled against him as they were based on evidence adduced by the Inquiry Committee. The punishment is proportionate to the misconduct which is grave and sensitive in nature. According to them the contents in the statement of claim are false. The reference is devoid of merit. They denied all the allegations in the statement of claim and submitted that the workman is not entitled to any relief prayed for and therefore prays that the reference be dismissed with cost.

5. The workman filed his rejoinder at Ex-12. He denied the contents in the written statement and reiterated his case put up in the statement of claim.

6. Following are the preliminary issues for my determination. I record my findings thereon for the reasons to follow:

Sr. No.	Issues	Findings
1.	Whether the domestic inquiry held against the workman was as per the Principles of Natural Justice?	Yes
2.	Whether the findings of the Inquiry Officer are perverse?	No.

Reasons**Issue No.1:—**

7. Both the parties herein have not led any evidence. The main objection raised on behalf of the second party workman is that in the departmental inquiry, the Panchas, in whose presence the gold bars were seized and the panchanama was drawn were not examined. It is also contended in the statement of claim that an application was given on behalf of the workman to call these witnesses and to examine them. In spite of that in departmental inquiry neither these witnesses were examined nor the panchanama was duly proved. According to the workman without examining the material panch witnesses and offering them for cross-examination, the IO has violated the principles of natural justice. In this respect I would like to point out that the option was with the Presenting Officer whom to examine to prove the charges. When the panch witnesses were not called and not examined, question of making them available for cross examination does not arise. Therefore non-examination of two panch witnesses or any other witness does not amount to violation of principles of natural justice. In this respect I would like to point out that it is also not necessary either to examine all the witnesses or to prove the seizure panchnama as it is required in criminal cases. 92 gold bars were found in the safe of cupboard of the workman when search was taken. The fact is deposed before the Inquiry Officer by the witnesses examined before the Inquiry Officer. Furthermore the Commissioner of Customs, Sahar Airport has also confiscated 92 gold bars worth of Rs.38,56,421/- under Section 3 (d) & (1) of the Customs Act, 1962. He also imposed penalty of Rs.3,00,000/- each on Mr. L.R. Solanki, S.V.Godambe and the present workman D.N.Vinjuda under Section 112 (a) & (b) of Customs Act, 1962. The said order is on record with list Ex-35/1.

8. In this respect I would like to point out that, non-examination of some witnesses may affect the finding of the Inquiry Officer. However it does not amount to violation of principles of natural justice. Therefore inquiry cannot be called unjust and unfair. On the other hand from the inquiry proceedings and pleadings in the written statement of the first party it is revealed that the charges were explained to the workman in clear terms. The inquiry was conducted in his presence. All the witnesses were examined in his presence and full opportunity was given to the workman to cross examine all the witnesses. An opportunity was also given to the workman to examine his witnesses including himself. Copies of all the documents were given to the workman. After giving full hearing in the light of the evidence of witnesses IO has reached to the conclusion that, the workman was guilty of the charges of misconduct leveled against him. The copy of the report was served on the workman with show-cause notice. After receiving his say and after hearing him, the competent authority has awarded the punishment. In the circumstances it is clear that the IO has followed the due procedure for conducting

the inquiry. On the point Apex Court ruling can be resorted to in *Sur Enamel and Stamping Works Ltd. V/s. Their Workmen* 1963 II LLJ 367 wherein the Hon'ble Apex Court laid down the following conditions for fair and proper domestic inquiry. They are:

- (1) *The employee proceeded against has been informed clearly of the charges leveled against him;*
- (2) *The witnesses are examined-ordinarily in the presence of the employee in respect of the charges;*
- (3) *The employee is given a fair opportunity to cross-examine witnesses;*
- (4) *He is given a fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter; and*
- (5) *The inquiry officer records his findings with reasons for the same in his report.*

9. In the light of guidelines of the Apex Court all the points were complied with by the Inquiry Officer. In the circumstances I come to the conclusion that the inquiry was fair and proper. Accordingly I decide this issue no.1 in the affirmative.

Issue No.2:—

10. In respect of findings the main objection raised on behalf of the workman in his statement of claim is that the two panchas on the seizure panchanama were not examined and the panchanama was not duly proved. In spite of that the IO relied on the seizure of 92 gold bars from the house of the workman. In this respect I would like to point out that to prove the seizure and recovery in departmental inquiry, the panchanama need not be proved. The fact of recovery and seizure can be proved by examining other witnesses who were present at the relevant time. In this respect I would like to point out that the standard of proof in Departmental inquiry is altogether different than the standard of proof required in the criminal cases. In criminal cases charges are required to be proved beyond all reasonable doubts whereas in the departmental inquiry preponderance of probability suffices the purpose. On the point Apex Court ruling can be resorted to in *Suresh Pathrela V/s. Orient Bank of Commerce* 2007 2 SCT 715 wherein Apex Court observed that;

"It is well settled principle of law that the yardstick and standard of proof in criminal case is different from the disciplinary proceeding. While the standard of proof in a criminal case is a proof beyond all reasonable doubt, the proof in departmental proceeding is preponderance of probability."

11. In the case at hand though the panchas were not examined Inquiry Officer examined other witnesses in

whose presence the Customs Officers have recovered the 92 gold bars and they were seized from the house of the workman. Besides that the statement of workman and other two co-accused were recorded by the customs officials under Section 108 of Customs Act. In that statement workman and two others have admitted their involvement in smuggling the gold bars. The workman has admitted that Mr. Jahangir and Javed are the persons for whom he had smuggled the gold bars and had concealed the consignment in the toilet. The statement recorded by Customs official under Section 108 is admissible even in the criminal trial so also in the departmental proceeding. On the point the Id. adv. for the first party resorted to Apex Court ruling in Naresh J. Sukhwani V/s. Union of India AIR 1996 SC 522 where in the Hon'ble Court in para 5 of the judgment observed that;

"It must be remembered that the statement made before the customs officials is not a statement recorded under section 161 of the Criminal Procedure Code, 1973. Therefore, it is a material piece of evidence collected by customs officials under Section 108 of the Customs Act. The material incriminates the petitioner in culpating him in the contravention of the provisions of the Customs Act. The material can certainly be used to connect the petitioner in the contravention in as much as Mr. Dudani's statement clearly implicates not only himself but also the petitioner. It can therefore be as substantive evidence connecting the petitioner with the contravention by exporting foreign currency out of India."

12. In the case at hand the statement of the workman as well as the other two accused were recorded by the customs officials in which they have admitted the charge of smuggling. The customs officials have also seized 92 gold bars from the house of the workman. Findings of the Inquiry Officer to that effect are based on substantial evidence on record. Thus I hold that the findings are not perverse. Accordingly I decide this issue on. 2 in the negative.

ORDER

- (i) The inquiry is held fair and proper.
- (ii) Findings of the Inquiry Officer are not perverse.
- (iii) The parties are directed to argue/lead evidence on the point of quantum of punishment.

Date: 15.07.2013

K. B. KATAKE, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2013

का.आ. 2531.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सहारा एअर लाईन्स, जैट एअरवेज लिमिटेड, जैट लाईट लिमिटेड, सहारा परिवार,

डेकोर डेपस एविएशन सर्विस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई पंचाट (संदर्भ संख्या 69/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/11/2013 को प्राप्त हुआ था।

[सं. एल-11012/45/2010-आई आर (सीएम -I)]

एम के सिंह, अनुभाग अधिकारी

New Delhi, the 18th November, 2013

S.O. 2531.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 69/2011) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Chennai as shown in the Annexure, in the industrial dispute between the management of M/s. Sahara Airlines Limited, M/s Jet Airways Limited, M/s. Jet Lite (India) Limited, M/s. Sahara Pariwar, M/s Decor Drapes Aviation Services, and their workmen, received by the Central Government on 18/11/2013.

[No. L-11012/45/2010-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday, the 10th October, 2013

PRESENT: K.P. PRASANNA KUMARI,
Presiding Officer

Industrial Dispute No. 69/2011

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Sahara Airlines Ltd., M/s Decor Drapes Aviation Ltd. And M/s Jet Lite (India) Ltd. and their workman)

BETWEEN

Sri R Balaji : 1st Party/Petitioner

AND

1. M/s Sahara Airlines Ltd., : 2nd Party/1st Respondent
New Delhi
2. M/s Jet Lite (India) Ltd., : 2nd Party/2nd Respondent
Chennai-27
3. M/s Jet Airways Ltd., : 2nd Party/3rd Respondent
Mumbai-59
4. M/s Sahara Pariwar, : 2nd Party/4th Respondent
Lucknow-226010

5. M/s Decor Drapes : 2nd Party/⁵th Respondent
Aviation Services,
Bangalore-560017

Appearance:

For the 1st Party/Petitioner : M/s. Muthupandian,
Advocate
For the 1st Party/ : Ex-parte
Respondent
For the 2nd & 3rd Party/ : M/s. Gupta & Ravi,
Respondent Advocates
For the 4th Respondent : Sri Devraj Authorized
Representative
For the ⁵th Respondent : M/s Sai Raaj Associates,
Advocates

AWARD

The Central Government, Ministry of Labour & Employment *vide* its Order No. L-11012/45/2010-IR (CM-I) dated 05.08.2011 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

"Whether the action of the Management of the erstwhile M/s Sahara Airlines Ltd. now represented by Sahara India Parivar, its erstwhile contractor viz. Decor Drapes Aviation Ltd. and M/s Jet Lite (India) Ltd. in denying employment to Sri R. Balaji, an Ex-loader is legal and justified? What the concerned workman is entitled to?"

2. After receipt of the Industrial Dispute this Tribunal has numbered it as ID 69/2011 and issued notice to both sides. The First Party has entered appearance and filed Claim Statement. The Second Party has filed Counter Statement also.

3. When the case came up for hearing on this date (09.10.2013), the counsel for the First Party has reported that he has no instruction from the First Party and has made endorsement to this effect in the Vakalat. The petitioner has been called absent in the absence of any material other than the Claim Statement the claim is not substantiated. The claim is only to be closed.

4. In the result the ID is closed. Thus the reference is answered against the First Party.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 10th October, 2013)

K.P. PRASANNA KUMARI, Presiding Officer

Witnesses Examined

For the 1st Party/Petitioner : None
For the 2nd Party/Management : None

Documents Marked on Petitioner & Management sides - Nil

नई दिल्ली, 18 नवम्बर, 2013

कांआ 2532.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय 2, धनबाद के पंचाट (संदर्भ संख्या 67 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/11/2013 को प्राप्त हुआ था।

[सं एल-20012/2/2007-आई आर (सीएम-1)]

एम के सिंह, अनुभाग अधिकारी

New Delhi, the 18th November, 2013

S.O. 2532.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 67/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No.2, Dhanbad shown in the Annexure, in the industrial dispute between the management of E.J. Area of M/s. BCCL, and their workmen, received by the Central Government on 18/11/2013.

[No.L-20012/2/2007-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT: SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 67 of 2007

PARTIES : Jt. General Secretary,
E.J. Area of M/s BCCL, Bhowra,
Dhanbad
Vs General Manager, E.J. Area,
Bhowra, Dhanbad

APPEARANCES :

On behalf of the : None
workman/Union
On behalf of the : Mr. S. Shekhar, Ld. Advocate
Management
State : Jharkhand Industry : Coal

Dated, Dhanbad, the 13th Sept., 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d)

of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/2/2007-IR(CM-I) dt. 2.11.2007.

SCHEDULE

"Whether the action of the Management of Bhowra (S) Colliery of M/s. BCCL in terminating Shri Dharmendra Singh, M/Loader, *w.e.f.* 07.02.2005 is legal and justified? If not, to what relief is the concerned workman entitled?"

2. Neither Mr. R.R. Ram, the Union Representative/ Advocate for the Union Bahujan Mazdoor Union nor the workman Dharmendra Singh appeared nor his rejoinder or any document filed. Mr. S. Shekhar, the Ld. Advocate for the O.P./management of Bhowra(s) Colliery of BCCL did not appear.

From the perusal of the case record, I find the case has been pending for the rejoinder of the workman for appearance of both the parties and also for filling a rejoinder of the workman from 27.2.2013, for which several Regd. Notices lastly dt. 28.4.2013 and even thereafter as a last chance were given to the Union concerned on its address as noted in the reference itself, but neither the Union representative nor the workman responded to any of the notices issued by the Tribunal. The Union Representative and the workman by their negligent conducts appeared to be disinterested in pursuing the case for its final adjudication in the Reference related to an issue of termination of the workman, M/Loader *w.e.f.* 07.02.2005. In result, the case is closed as no Industrial Dispute existent; and accordingly, it is passed the order.

KISHORI RAM, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2013

कांआ 2533.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बीसीसीएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद के पंचाट (संदर्भ संख्या 51 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18/11/2013 को प्राप्त हुआ था।

[सं एल-20012/88/2007-आईआर (सीएम-1)]

एम के सिंह, अनुभाग अधिकारी

New Delhi, the 18th November, 2013

S.O. 2533.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 51/2007) of the Cent. Govt. Indus. Tribunal-cum-labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of Sijua Area of M/s. BCCL and their workmen, received by the Central Government on 18/11/2013.

[No. L-20012/88/2007-IR(CM-I)]

M. K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT: SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 51 OF 2007

PARTIES : Shri Tirath Raj Kumar, workman,
sponsored by Janta Mazdoor
Sangh, Dhanbad

Vs. General Manager, Sijua Area
of M/s. BCCL, Dhanbad

APPEARANCES :

On behalf of the : None
workman/Union

On behalf of the : Mr. D.K. Verma, Ld. Advocate
Management

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 29th May, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/88/2007-IR(CM-I) dt. 09.08.2007.

SCHEDULE

"Whether the action of the Management of Sendra Bansjora Colliery of M/s. BCCL in denying regularization as PR Trammer to Shri Tirath Raj Kumar, M/loader, is justified and legal? If not to what relief is the concerned workman entitled and from which date?"

2. Not any Representative for Janta Mazdoor Union, Bihar building, Jharia, Dhanbad nor workman Tirath Raj Kumar appeared nor any witness for the evidence of the workman produced. But Mr. D.K. Verma the Ld. Advocate for the O.P./management of Sijua Area, BCCL is present.

On perusal of the case record it stands clear that the case has been pending for the evidence of the workman since 18.06.2012. Though neither rejoinder nor any documents were filed on behalf of the workman since 29.06.2011, despite three registered notices dt. 8.11.2010, 18.1.2012 and 15.3.2012 having been issued to the vice president of the union on his address, as noted in the reference itself, yet neither the union representative nor the workman responded it nor any witness on his behalf

for it. It is apparent from the conduct of the union representative and the workman that they are not interested or willing to fight the case for its finality. The present reference relates to an issue regarding regularization of the workman as P.R. Trammer.

In view of the aforesaid facts of disinterestedness of the union representative and the workman concerned, it is no longer an industrial dispute in existence. Hence, the case is closed and accordingly an order of the 'No Industrial Dispute' is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2013

का०आ० 2534.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी सी सी एल के प्रबंधतंत्र के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, धनबाद, के पंचाट (संदर्भ संख्या 97 का 2005) को प्रकाशित करती है जो केन्द्रीय सरकार को 18/11/2013 को प्राप्त हुआ था।

[सं० एल-20012/110/2005-आई आर (सी-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 18th November, 2013

S.O. 2534.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 97/2005) of the Central Government Industrial Tribunal-cum-Labour Court No 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the management of and their workmen, received by the Central Government 18/11/2013.

[No. L-20012/110/2005-IR(C-I)]

M.K. SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) DHANBAD

PRESENT SHRI KISHORI RAM, Presiding Officer

In the matter of an industrial dispute under Sec. 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO 97 OF 2005

Parties : Late Dularwa Bhuini, work woman
and her petitioner Sri Bhuneshwar
Bhuia represented by Janta
Mazdor Sangh
Vs. Chief General Manager,
Kustore Area of M/s. BCCL,
Dhanbad.

Appearances :

On behalf of the : Mr. K.N. Singh, Ld. Advocate
workmen/union

On behalf of the O.P./ : Mr. D.K. Verma, Ld. Adv.
Management

State : Jharkhand Industry : Coal

Dated: Dhanbad, the 29th May, 2013.

AWARD

The government of India, Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this tribunal for adjudication *vide* their Order No. L-20012/110/05-IR (C-I) dt: 2.11.2005.

SCHEDULE

Whether the action of the management of Raipur Open Caste Project under Kustore Area of M/s. BCCL in not providing employment to Shri Bhuneshwar Bhuia, the husband of Late Dularwa Bhuini under the provisions of NCWA is justified? If not, to what relief is Shri Bhuneshwar Bhuia entitled?"

2. Neither any Representative for Janata Mazdoor Sangh, Bihar building, Jharia, not petitioner Sri Bhuneshwar Bhuia nor any witness the evidence of the petitioner appeared despite Regd. notices having been issued to then Union. Mr. D.K. Verma, Ld. Advocate for the O.P./ Management of Kustore Area, BCCL is present.

Persual of the case record reveals its pending for the evidence of the petitioner workman since 22.2.2012, for which Regd. notices dt. 22.2.2012 and 24.4.2012 were issued to the Vice President of the Union on his address as noted in the reference, yet neither the Union nor the petitioner responded to the notice. The present reference relates to an issue concerning with the employment to be provided to the petitioner Shri Bhuneshwar Bhuia, the husband of Late Dularwa Bhuini, under the provisions of the NCWA. The Union and the petitioner by their conducts appear to be prime facie uninterested in pursuing the case for its finality.

Under these circumstances, proceeding with the case for uncertainty is unwarranted. Hence the case is closed as no industrial dispute existent. Accordingly Award of No Industrial Dispute is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 19 नवम्बर, 2013

का०आ० 2535.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार के प्रबंधतंत्र इंडो जापान एअर सर्विस प्राईवेट लिमिटेड के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय

सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं० 2, नई दिल्ली के पंचाट (संदर्भ संख्या 7/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19/11/2013 को प्राप्त हुआ था।

[सं० एल-11012/15/2012-आई आर (सीएम-1)]

एम० के० सिंह, अनुभाग अधिकारी

New Delhi, the 19th November, 2013

S.O. 2535.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 7/13) of the Central Government Industrial Tribunal-cum-Labour Court No 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of M/s. Indo Japan Air Services Pvt. Ltd., and their workmen, received by the Central Government 19/11/2013.

[No. L-11012/15/2012-IR(CM-I)]

M.K. SINGH, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT-II, DELHI

Present:- Shri Harbansh Kumar Saxena

ID No 07/2013

The General Secretary,
All India General Kamgar Union,
U-90, Shakar Pur,
New Delhi-110092

Versus

The Chairman,
M/s. Indo Japan Air Services Pvt. Ltd.,
36, Janpath, Chander Lok Building,
New Delhi-110001

AWARD

The Central Government in the Ministry of Labour vide notification No L-11012/15/2012-IR(CM-I) dated 15/01/2013, referred the following industrial Dispute to this tribunal for the adjudication:—

"Whether the action of the management of M/s. Indo Japan Air Services Pvt. Ltd. in not granting annual increments to Shri Amarjeet and 3 others as demanded by All India General Kamgar Union is legal and justified? To what relief are the concerned workmen entitled?"

On 05/02/2013 reference was received in this tribunal. Which was register as I.D. No. 7/2013. and claimant was called upon to file claim statement within fifteen days. After service of notice workmen filed claim statement they prayed as follows:—In view of the above it is humbly prayed that this Hon'ble Court may be pleased to pass an Award in

favour of the workmen at the against the management to make payment of annual increment to the workmen at minimum rate of Rs. 2500/- per month for the years 2006, 2007, 2008, 2009, 2010, 2011 and 2012 in the interest of justice.

Management in reply to claim statement filed no WS.

On 21/08/2013 joint application for passing of award in terms of settlement has been filed with which following documents has been attached:—

1. Receipt-Cum Declaration of full and final settlement copy of Amarjeet and photo copy of cheque amounting Rs. 450000/-.

2. Receipt-Cum Declaration of full and final settlement copy of Dhanpat Ram and photo copy of cheque amounting Rs. 450000/-.

3. Receipt-Cum Declaration of full and final settlement copy of Sunil Sethi and photo copy of cheque amounting Rs. 450000/-.

4. Receipt-Cum Declaration of full and final settlement copy of Pramod Kumar and photo copy of cheque amounting Rs. 450000/-.

In court original cheques were given to aforesaid workmen which were received in court by them. They signed after making endorsements of receiving the cheques on ordersheet.

On the basis of aforesaid discussions only no dispute award can be passed. Which is accordingly passed.

Dated-22/08/2013

HARBANSH KUMAR SAXENA, Presiding Officer

नई दिल्ली, 20 नवम्बर, 2013

का०आ० 2536.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 दिसम्बर, 2013 को उस तारीख के रूप में नीयत करती है, जिनको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप धारा-(1) और धारा -77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध छत्तीसगढ़ राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

“जिला बिलासपुर की तहसील बिल्हा में स्थित राजस्व ग्राम-बिल्हा, हिरी, पेंडरवा, निपनिया, धौराभोंठा, पौसरी, एटुलकांपा, डोड़की, भेंसबोड़, पत्थरखान, केसला, भटगाँव, परसदा, देवकिरारी, किरारीगोढ़ी, गोढ़ी, उटगन, अमेरी अकबरी, सम्बलपुरी, खन्तहा, दगोरी, झलफा, हरदी, पेण्डडीह, मोहभट्टा, रहंगी, बोदरी तथा तहसील बिल्हा, जिला बिलासपुर की सीमाओं के अंतर्गत आने वाले सभी क्षेत्र।”

[सं० एस-38013/75/2013-एस.एस.1]

जार्जकुटी टी. एल., अवर सचिव

New Delhi, the 20th November, 2013

S.O. 2536.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 2013 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Chhattisgarh namely:—

"Revenue villages of Bilha, Hirri, Pendarwa, Nipaniya, Dhaurabhata, Paunsari, Ethulkapa, Dodki, Bhainsbod, Pattharkhan, Kesla, Bhatagaon, Parsada, Devkirari, Kirarigodhi, Godhi, Utgan, Ameri Akbari, Sambalpur, Khantaha, Dagori, Jhalpha, Hardi, Pandridih, Mohbhattha, Rahangi, Bodari and the areas falling within the Tehsil Bilha, District Bilaspur".

[No. S-38013/75/2013-S.S. I]

GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 20 नवम्बर, 2013

का०आ० 2537.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 दिसम्बर, 2013 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध उड़ीसा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

“जिला कटक की आठगढ़ तहसील में रमपेड़, खुन्टुणी, घंटीखाल, निधीपुर, माधबपुर, सुनियामुहं, कुसंगी, अनन्तपुर, नुआशासन, कोतर, गुरुडीझाटिआ, पिहूरा, बाली, बउल, बामनपुर, बाह्यणबस्त, राहंगोल एवं बरहमपुर के राजस्व गांव”।

[सं० एस-38013/76/2013-एस.एस. I]

जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 20th November, 2013

S.O. 2537.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 2013 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Section 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Odisha namely:—

"The AREAS COMPRISING OF THE REVENUE VILLAGES OF RAMPEI, KHUNTUNI, GHANTIKHAL, NIDHIPUR, MADHABPUR, SUNIAMUHAN, KUSPANGI, ANANTAPUR, NUASASAN, KOTAR, GURUDIJHATIA, PIHURA, BALI, BAULA, BAMANPUR, BRAHMANBASTA, RAHANGOLAND BERHAMPUR in the Tahasil of Athagarh, in the district of Cuttack.

[No. S- 38013/76/2013-S.S. I]

GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 20 नवम्बर, 2013

का०आ० 2538.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 जनवरी, 2014 को उस तारीख के रूप में नियत करती है, जिनको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप धारा-(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध कर्नाटक राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

क्रम सं०	राजस्व ग्राम का नाम	होबली	तालुक	जिला
1.	हलवर्ती	कोपाल	कोपाल	कोपाल
2.	हिरकसनक किन्डी	हीन्टल	कोपाल	कोपाल
3.	कसूनकन्डी	हीन्टल	कोपाल	कोपाल
4.	कुनिकेरे	कोपाल	कोपाल	कोपाल
5.	रूद्रापुर	कोपाल	कोपाल	कोपाल
6.	चिकबगनल	कोपाल	कोपाल	कोपाल
7.	बगनल विलेज	कोपाल	कोपाल	कोपाल

[सं० एस-38013/77/2013-एस०एस० I]

जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 20th November, 2013

S.O. 2538.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2014 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Section 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Karnataka namely:—

Sl. No.	Name of the Rev. Village or Municipal Limits	Hobli	Taluk	District
1.	Halavarthi	Koppal	Koppal	Koppal
2.	Hirekasankakindi	Hintal	Koppal	Koppal
3.	Kasunakandi	Hintal	Koppal	Koppal
4.	Kunikere	Koppal	Koppal	Koppal
5.	Rudrapur	Koppal	Koppal	Koppal
6.	Chikbaganal	Koppal	Koppal	Koppal
7.	Baganal Village	Koppal	Koppal	Koppal

[No. S-38013/77/2013-S.S. I]

GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 20 नवम्बर, 2013

का०आ० 2539.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 जनवरी, 2014 को उस तारीख के रूप में नीयत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

केन्द्र	क्षेत्र के अंतर्गत आने वाले निम्न राजस्व गांव
तिरुवण्णमलै जिले में	1. चेर्यार
चेर्यार तालुक के	2. माथुर

केन्द्र	क्षेत्र के अंतर्गत आने वाले निम्न राजस्व गांव
चेर्यार क्षेत्र	3. मंगल
	4. चेल्लपेरुपुलिमेडु

[सं० एस-38013/78/2013-एस०एस० I]

जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 20th November, 2013

S.O. 2539.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2014 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamilnadu namely:—

Centre	Area comprising the revenue Villages of
Cheyar area	1. Cheyyar
Cheyar Taluk,	2. Mathur
Tiruvanamalai District	3. Mangal
	4. Chellaperumpulimedu

[No. S-38013/78/2013-S.S. I]

GEORGEKUTTY T. L., Under Secy.